

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

MAY 22, 1998

(Published May 30, 1998,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

May 22, 1998 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Ostrow,
Campbell, Biernat, Niland, Goodman, Colvin
Roy, Mead, Minn, McDonald, Johnson,
President Cherryhomes.

Absent – Herron, Thurber.

Campbell moved approval of the minutes of
the regular meeting of May 8, 1998. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers
to proper Council committees and departments.

Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263775)

Bonds: Standard Mill Limited Partnership
(Hyatt/Whitney Hotel, 150 Portland Ave S):
Preliminary approval to issue \$6.5 million in
commercial development tax-exempt refunding
bonds & \$3.0 million in commercial
development taxable bonds.

Hauenstein & Burmeister, Inc (2629-30th
Ave S): Final approval to issue \$1,410,000 in
tax-exempt revenue refunding bonds & \$90,000
in taxable revenue bonds.

Lot Divisions/Land Sales: 412 Knox Ave
N; 1904-24th Ave N.

Tax Forfeited Properties: Resolution
classifying 1601-2nd St N & 2018 W Broadway

as non-conservation for conveyance to MCDA.

1998 Federal Low Income Housing Tax
Credits: Preliminary approval to reserve tax
credits for Creamette Project, East Village
Project & Evergreen Project.

COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS & ZONING & PLANNING:

PLANNING COMMISSION/DEPARTMENT
(263781)

Lyndale Gateway Charrette.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263776)

Common Project & Development Accounts:
Report updating financial status.

ESTIMATE AND TAXATION (263777)

Whittier Alliance, 3-10 Rental Rehabilitation
Loan Program Internal Audit Report.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263778)

North Washington Industrial Park:

Appropriation increase for street paving.

Jefferson Lines (26th St & Hiawatha Ave):

Appropriation increase to assist in financing
maintenance/headquarters facilities.

One Spirit Church (2412 Plymouth Ave N):

Appropriation increase to purchase property
for church playground lease.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263779)

Portland Place Project: Redevelopment
Plan, Tax Increment Finance Plan, Modification
No. 18 to Model City Urban Renewal Plan,
Request for appropriation of \$2,280,000 in

Neighborhood Development Account, Approval for tax increment financing, Authorize grant to developer for \$2,280,000.

Penn & Lowry Redevelopment Project: Modification No. 58 to Common Plan & Tax Increment Financing Plan, w/Attachments.

Phillips Park Project: Appropriation of \$400,000 in Neighborhood Development Account, Approve use of tax increment financing & grant \$400,000 to developer for gap financing.

Viking Materials, Inc (3225 Como Ave SE): Preliminary approval to issue \$4 million in taxable and/or tax-exempt MCDA limited tax supported development revenue bonds through Common Bond Fund.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (263780)

Longfellow Neighborhood: Use of \$10,000 of Hennepin County's "second 7.5%" NRP funds for Longfellow-Seward Healthy Seniors Program;

Mpls Redesign Collaborative: Use of \$100,000 of Hennepin County's "second 7.5%" NRP funds for transition of Andersen Family Resource Center into Mpls Redesign Collaborative;

St Anthony West Neighborhood: Modification to Action Plan incorporating new strategies;

Lowry Hill East Neighborhood: Early access request for \$93,674 to renovate Mueller Park;

Marshall Terrace Neighborhood: Early access request for \$10,000 for Mississippi River development plan.

ELECTIONS (See Rep):

ELECTIONS DEPARTMENT (263781.1)
1998 Elections: Polling places.

INTERGOVERNMENTAL RELATIONS

(See Rep):

LIAISON/FEDERAL, LOCAL AND STATE (263782)

Minneapolis Employees Retirement Fund: Pass Resolution granting local approval to Minn Laws Chapter 390 re surviving spouse benefits.

PHILLIPS PARTNERSHIP (263783)

Lake St Revitalization: Support request of Phillips Partnership & Metropolitan Council for federal ISTEAs transit funding (HR 2400) for improved access to Lake St, I-35W and adjoining neighborhoods.

PUBLIC SAFETY AND REGULATORY SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (263784)

Immunization Task Force: Healthy Learning for Life Booklet.

SHAPE Report: Update report.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

ATTORNEY (263785)

Fernando's Bar (1501 E Lake St):

Transcript of Evidentiary Hearing relating to On-Sale Liquor License. *(See Rep of 5/8/98)

ATTORNEY (263786)

Portland Food Square Market (3751

Portland Av S): Transcript of Evidentiary Hearing relating to Grocery, Food Manufacturer and Tobacco Licenses.

HEALTH AND FAMILY SUPPORT SERVICES (263787)

School Health Services: Execute contract with Minneapolis Public Schools for staff services in support of restructuring school health services for period 1/1/98 through 12/31/98.

348-TOTS Program: Execute agreement with Hennepin County for developmental screening services for children ages 0-6 for period 7/1/98 through 6/30/99.

INSPECTIONS DEPARTMENT (263788)

Rental Dwelling License at 314-16 25th Av

N: Revoke license held by Donald J Ziebart.

LICENSES AND CONSUMER SERVICES (263789)

Licenses: Applications.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/

BUDGET (See Rep):

EMERGENCY COMMUNICATIONS CENTER (ECC) (263790)

Relocation of Emergency Communications: Approve Option #4, Renovation/Expansion of B911 in City Hall.

LICENSES AND CONSUMER SERVICES (263791)

License Fee Adjustments: Listing of all general and liquor license fees.

LICENSES AND CONSUMER SERVICES (263792)

Manager of Environmental Health:

Approve appointment of Oren Larson to position;

Grant third step rate of pay, and back pay retroactive to 8/12/96.

License Fee Adjustments: Proposal to increase fees; with attachments and objections.

POLICE DEPARTMENT (263793)

Multi-Jurisdictional Homicide/Murder Investigations: Accept Grant-in-Aid from Minnesota Department of Public Safety, Bureau of Criminal Apprehension for expenditures incurred during investigation of murder of Jeffrey Trail (Cunanan) and homicide of Alvin Campbell and Lloyd Clarke; and Appropriate funds.

Drug Abuse Resistance Education (DARE): Execute Amendment #1 to contract with Special School District #1 to provide training to each 5th Grade classroom for period 7/1/97 through 6/30/98.

TAXES (BOARD OF EQUALIZATION):

ASSESSOR (263793.1)

Information packet

BUDGET AND EVALUTION (263793.2)

Response to request for information from Council Member Minn, Chair of the Taxes Committee.

COUNCIL MEMBER MINN (263793.3)

Prioritizing Assessments: Concept of providing relief to homesteaded seniors.

TAXES (BOARD OF EQUALIZATION

(See Rep):

CITY CLERK (263794)

1998 Minneapolis Board of Equalization: Summary.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (263795)

Bus Shelter Franchise Fees: Report on fees receive from Transtop Minnesota.

Transtop Minnesota: 1997 Annual Report.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

COUNCIL MEMBER MINN (263796)

Southwest Lake Calhoun Subwatershed Improvement Project: Affirm City's support of Minnehaha Creek Watershed District's Determination that a wetland does not exist contrary to the opinion of the U.S. Army Corps of Engineers.

MAYOR (263797)

Hiawatha Corridor Management

Committee: Mayor's appointment of Council Member Joan Campbell as City representative and Council Member Sandra Colvin Roy as alternate.

PUBLIC WORKS AND ENGINEERING (263798)

Special Boulevard Permits: Applications of Doris Arlene Phillips (4845 Ewing Av S), Dee Smithey (42nd & Humboldt Av N) and Margo Berg (4225 21st Av S).

1998 Non-Residential Paving Program (Hennepin-Lyndale Realignment): Authorize staff to proceed with abandonment and annulment of special assessment improvement proceedings and cancel public hearing.

Realignment of 22nd Av S at E Lake St: Authorize acquisition of temporary construction easement and permanent right-of-way from Mortenson Properties.

Lowry Hill Street Lighting Project: Order City Engineer to proceed with improvement project and preliminary approval to establish the street lighting project as Street Lighting District #1236; Comments received from area property owners.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET

(See Rep):

PUBLIC WORKS AND ENGINEERING (263799)

Lyn/Lake Municipal Parking Lot Project: Approve capital expenditure, land acquisition, order City Engineer to proceed with project; Approve assessment proceedings, establishment of Lyn/Lake Municipal Parking Advisory Board, establishment of Lyn/Lake Municipal Parking Trust Fund Account and request Board of Estimate & Taxation to issue parking revenue bonds; Comments from area property owners and affected parties.

Public Health Center Remodeling and Skyway Bridge Project: Change orders, acceptance of work and final contract payment to Cy-Con, Inc.

City Hall Tunnel Project: Change orders, acceptance of work and final contract payment to Cy-Con, Inc.

Fourth Street Tunnel Project: Change orders, acceptance of work and final contract payment to Meisinger Construction Company.

West Metro Education Project/University of St. Thomas Municipal Parking Ramp Project: Fund transfer from MCDA and change order to contract with Opus.

Street Renovation Program: Staff presentation on current and proposed assessment policies.

PURCHASING (263800)

Bids: Accept

a) OP #4864, low bid meeting specifications of Kleepsie Tank and Petroleum for fuel tanker for Equipment Division;

b) OP #4860, overall low bid of Egan McKay Electrical Contractors for traffic signal loop detectors for Traffic Department.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (263801)

1998 Travel Expense Report: First Quarter.

INFORMATION AND TECHNOLOGY SERVICES (263802)

1998 ITS Operating Plan, Part 1: Receive and File.

WAYS AND MEANS BUDGET (See Rep):

ARTS COMMISSION (263803)

Neighborhood Arts New Presenters, Round 15: Approve organizations for funding.

ATTORNEY (263804)

Legal Services: Adopt City of Minneapolis Legal Services Protocol. Legal Services: Contract with Paul Lamboley.

Settlements: Approve settlement of Dale Woodard vs. City and Carrie Theis vs. City.

COORDINATOR (263805)

Convention Center Completion Project: Request for Proposals for insurance broker services.

Paragon Cable: Staff provide summer report & final report by end of 3rd quarter.

COORDINATOR (263806)

Job Bank Program: Deny inclusion of 3 Minneapolis Employees Retirement Fund employees.

COUNCIL MEMBER OSTROW (263807)

Capital Long-Range Improvements Committee: Approve appointment of Diane Loeffler.

ESTIMATE AND TAXATION (263808)

Human Resources Information System: Board of Estimate & Taxation Resolution.

HEALTH AND FAMILY SUPPORT SERVICES (263809)

Rental Assistance for Family Stabilization Program: Contract with Minnesota Housing Finance Agency.

Minnesota Youth Program: Contract with State.

1998 Jump Start Program: Various Fund Availability Notices & Contract with Minneapolis Park and Recreation Board.

HUMAN RESOURCES (263810)

Maintenance Crew Leader Position: Salary Ordinance.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (263811)

Fiftieth & France Av Master Plan.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (263812)

Nicollet Mall, 800 (Robert A Parr) sign.

INSPECTIONS/BOARD OF ADJUSTMENT (263813)

Soji Agboola (3641-43 Columbus Av): Appeal of Timothy M Cooney of decision of Board of Adjustment approving continuation of nonconforming use as a 4 unit apartment building w/no off-street parking. Zoning Office: Background report w/attached minutes, zoning maps, photos, drawings, correspondence, notice.

TCF Bank: Account verification for All American Investment Corp.

Council Member Herron: Memo to Police Dept, Traffic Enforcement, regarding speeding in vicinity.

Timothy M Cooney: Petition opposing nonconforming use, signed by Cooney & 20 others.

Louis A. Redmann (4555 Dupont Av N): Appeal of decision of Board of Adjustment denying his application to appeal decision of Zoning Administrator that variation of garage height cannot exceed 60% of height of house. Zoning Office: Background report w/attached drawings, photos, minutes, notice.

INSPECTIONS/BOARD OF ADJUSTMENT (263814)

Steven & Michelle Inman (2014 Sheridan Av S): Zoning Office: Appeal of Peter H Watson from decision of Board of Adjustment approving variation of front yard on Franklin Av W to permit new single family dwelling; Background report w/attached minutes, maps, notice,

certificate of survey for Gwen Neeser. Steven & Michelle Inman: Statement in favor of variation; Certificate of survey.

PLANNING COMMISSION/DEPARTMENT (263815)

Pawn America (720 E Lake St): Planning Dept: Appeal of David Franze of decision of Planning Commission approving a conditional use permit to allow pawn shop; Background report w/attached charts, maps, photos, minutes, comments from neighborhood associations, notice. John Herman, Attorney from Leonard, Street & Deinard: Summary of his argument to deny.

Robert Muir Company (Calhoun Commons): Appeal of Jennifer Ogren of decision of Planning Commission to approve site plan review for 3040-80 Excelsior Blvd, 3115 W Lake St, 3022 Market Plaza, & 3400 W 31st St; Background report w/attached maps, drawings, minutes, comments of citizens & businesses; notice.

PLANNING COMMISSION:

HILLCREST DEVELOPMENT (263816)
Permission to vacate: Traffic St between Roosevelt St & Stinson Blvd; former service road - east side of Stinson Blvd.

MOTIONS (See Rep):

ATTORNEY (263817)
Workers Compensation: Pmts to City employees.

FILED:

CITY CLERK/SPECIAL PERMITS (263818)

17th St N, 88 (Thomas J Green) tents, temporary signs for Basilica Block Party; 30th Av S, 3957 (MCDA) waive full basement requirement; 31st St E, 2730 (Universal Signs Inc) sign; 49-1/2 St to 51st St, France to Chowen Aves (Molly Hibbard/50th & France Business Assn) use sidewalks for Edina Art Fair; Marshall St NE, 2136 (John Holmberg) move garage; Minnehaha Av, 2330 (Signsations) sign; Nicollet Av S, 3600 (Minnesota Sign) sign; Penn Av N, 3343 (Pao Ge Vue) waive full basement requirement; Siebert Field, U of M area, (Americana Fireworks Display Co) fireworks.

SULLIVAN, BARBARA (263819)
Interplastic Corp (2015 NE Broadway St): Letter of concern addressed to Mayor Sayles Belton.

**REPORTS OF
STANDING COMMITTEES**

The **CLAIMS** Committee submitted the following report:

Claims – Your Committee recommends that the claims filed against the City by the following individuals be settled as follows:
690-150 Daniels Cleaning Service, \$3,440.08; Our Lady of Peace School, \$40,104.05; Linda Rogers, \$7,200; Kevin Walsh, \$3,500; Pulley Turhen, \$1,300.83; Amy Strom, \$1,200; Andrew Smith, \$133.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the proposed major renovation and furnishings to the existing Hyatt/Whitney Hotel, 150 Portland Ave S, and payment of delinquent real estate taxes of approximately \$700,000, to be financed through issuance of \$3.0 million in taxable bonds, and the refinancing of the existing \$6.5 million in outstanding tax-exempt bonds originally issued in 1985, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the project and to the issuance of up to \$6.5 million in Commercial Development Tax-exempt Refunding Bonds Series 1998A and up to \$3.0 million in Commercial Development Taxable Bonds Series 1998B for the Standard Mill Limited Partnership Project (Hyatt/Whitney Hotel Project).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

Resolution 98R-156, giving preliminary approval to proposed commercial development project, the issuance by the City of its Taxable Commercial Development Revenue Bonds therefor, and the issuance by the City of its Refunding Revenue Bonds in connection therewith, all on behalf of Standard Mill Limited Partnership (Hyatt/Whitney Hotel Project, 150 Portland Ave S), under the Municipal Industrial Development Act, and authorizing submission of an application to the Minnesota Department of Trade and Economic Development for approval of the project, was passed May 22, 1998 by the City Council and approved May 22, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

(Published May 27, 1998)

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-156

By Niland

Giving preliminary approval to proposed commercial development project, the issuance by the City of its Taxable Commercial Development Revenue Bonds therefor, and the issuance by the City of its Refunding Revenue Bonds in connection therewith, all on behalf of Standard Mill Limited Partnership under the Municipal Industrial Development Act, and authorizing submission of an application to the Minnesota Department of Trade and Economic Development for approval of the project.

Resolved by The City Council of The City of Minneapolis:

1. There has been presented to this Council a proposal by Standard Mill Limited Partnership, a Minnesota limited partnership (the "Borrower") to undertake a project pursuant to the Minnesota Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152 to 469.1651, as amended (the "Act"), generally consisting of the renovation, furnishing and equipping of the Borrower's existing hotel facility (commonly

known as the Whitney Hotel), located at 150 Portland Avenue in the City of Minneapolis (the "Project"), including payment of administrative costs, including taxes and issuance costs, and funding of reserves, to be undertaken together with the related refinancing of existing tax-exempt indebtedness incurred with respect to the existing facility through the refunding in full of the City's outstanding Commercial Development Revenue Bonds, Series 1985 (Standard Mill Hotel Project), in the outstanding amount of \$6,500,000. The Borrower will enter into a loan agreement or agreements with the City upon such terms and conditions as are necessary to produce income and revenues sufficient to pay when due the principal of and the interest on the City's Commercial Development Refunding Revenue Bonds (Standard Mill Limited Partnership Project), to be issued in one or more series in an aggregate principal amount of up to \$6,500,000 and its Taxable Commercial Development Revenue Bonds (Standard Mill Limited Partnership Project), to be issued in one or more series in an aggregate principal amount of up to \$3,000,000, pursuant to the Act to provide monies for the Project; and the City will pledge its interest in the loan agreement or agreements to secure the bonds.

2. As required by the Act, the Community Development Committee of this Council conducted a public hearing on Monday, May 11, 1998, on the proposal to undertake and finance the Project after publication in the official newspaper and a newspaper of general circulation in the City of a notice setting forth the time and place of hearing; stating the general nature of the Project and an estimate of the principal amount of bonds or other obligations to be issued to finance the Project; stating that a draft copy of the proposed Application to the Minnesota Department of Trade and Economic Development (the "Department"), together with all attachments and exhibits thereto, was available for public inspection at the offices of the Minneapolis Community Development Agency, at all times between the hours of 8:00 A.M. to 4:30 P.M. each day except Saturdays, Sundays and legal holidays to and including the day of hearing; and stating that all parties who appear at the public hearing shall have an opportunity to express their views with respect to the proposal.

3. It is hereby found, determined and declared that the Project furthers the purposes set forth in the Act in that the purpose of the Project is and the effect thereof will be to promote the public welfare by the enhancement of the provision of employment and services in the community.

4. The Borrower has entered into preliminary discussions with Miller, Johnson & Kuehn Incorporated, as underwriter, and the underwriter has reported preliminarily that the Project and the sale of bonds therefor are feasible.

5. The Borrower will be required to pay all the expenses of the City paid or incurred with respect to the Project and to indemnify the City for any potential liability incurred by the City with respect to the Project.

6. The Project and the issuance of bonds to finance and refinance the Project, as described above, are preliminarily approved, subject to final approval and authorization by this Council and agreement of the Borrower and the initial purchasers of the bonds as to the details of the bonds and provision for their payment. Any bonds issued will not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City except the Project, and each Bond, when, as, and if issued, shall be payable solely from the revenues pledged to the payment of the bonds and the full faith and credit of the City, and the taxing power of the City, are not pledged to the payment of the bonds.

7. In accordance with the requirements of the Act, officers of the City are hereby authorized and directed to submit the proposal for the Project to the Department to request its approval thereof, and City officers, employees, and agents are hereby authorized to provide the Department with such preliminary information as it may require. The Borrower, Faegre & Benson LLP, as bond counsel, officers of the City, and other City representatives and officials are also authorized to initiate the preparation of such loan agreements, indentures and related documents as may be necessary or appropriate to the Project or in connection with the issuance of the bonds, so that, when and if the proposed Project is approved by the Department and this Council gives its final approval thereto, the Project and the issuance of the bonds may be carried forward expeditiously.

8. The Borrower is hereby authorized to enter into such contracts, in its own name and not as agent for the City, as may be necessary for the carrying out of the Project by any means available to it and in the manner it determines, without advertisement for bids as may be required for the acquisition or construction of municipal facilities, but the City shall not be liable on any such contracts.

9. The bonds will not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City, and each bond, when, as and if issued, shall be payable solely from the revenues pledged to the payment thereof and neither the full faith and credit of the City nor its taxing power shall be pledged to the bonds.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the division of the lot at 412 Knox Ave N, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-157

By Niland

Approving the subdivision of a lot at 412 Knox Avenue North.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 412 Knox Avenue North and legally described as Lot 15,

Block 10, Maben, White and LeBron's Addition to Minneapolis be subdivided as follows:

Parcel A: The North 16.5 feet of Lot 15, Block 10, Maben, White and LeBron's Addition to Minneapolis;

Parcel B: Lot 15 except the North 16.5 feet thereof, Block 10, Maben, White and LeBron's Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of adjacent properties with the following parcels:

Parcel A (416 Knox Avenue North): Lots 16 & 17, Block 10, Maben White and LeBrons Addition to Minneapolis;

Parcel B (406 Knox Avenue North): Lots 13 & 14, Block 10, Maben White and LeBrons Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on April 30, 1998, a public hearing on said subdivision and proposed sale was duly held on May 11, 1998, 5:30 p.m., in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the division of the lot at 1904 – 24th Ave N, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of

the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-158

By Niland

Approving the subdivision of a lot at 1904 – 24th Avenue North.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 1904-24th Avenue North and legally described as Lot 17, Block 7, Forest Heights be subdivided as follows:

Parcel A: All that part of Lot 17 lying easterly of the following described line: commencing at the Southeast corner of said Lot 17, thence westerly along the South line thereof a distance of 19.03 feet to the actual point of beginning of the line to be described, thence northerly to a point in the North line of said Lot 17 distant 18.38 feet westerly of the Northeast corner thereof and there terminating; All in Block 7, Forest Heights.

Parcel B: All that part of Lot 17 lying westerly of the following described line: commencing at the Southeast corner of said Lot 17, thence westerly along the South line thereof a distance of 19.03 feet to the actual point of beginning of the line to be described, thence northerly to a point in the North line of said Lot 17 distant 18.38 feet westerly of the Northeast corner thereof and there terminating; All in Block 7, Forest Heights; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of adjacent properties with the following parcels:

Parcel A (1900 – 24th Avenue North): All that part of Lot 18 lying westerly of the west line of Morgan Avenue North as opened by the City of Minneapolis on October 28, 1904; All in Block 7, Forest Heights.

Parcel B (1912 – 24th Avenue North): Lot 16, Block 7, Forest Heights; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on April 30, 1998, a public hearing on said subdivision and proposed sale was duly held on May 11, 1998, 5:30 p.m., in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration a proposal to issue refunding bonds on behalf of Hauenstein & Burmeister, Inc. to refinance the project involving acquisition of land for the construction of an addition to their facility at 2629 – 30th Ave S and purchase of equipment, now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$1,410,000 in Tax-exempt Revenue Refunding Bonds Series 1998A and \$90,000 Taxable Revenue Bonds Series 1998B on behalf of Hauenstein & Burmeister, Inc.

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

Resolution 98R-159, providing for the issuance and sale of Industrial Development Refunding Revenue Bonds pursuant to Minnesota Statutes, Sections 469.152 to 469.1651, on behalf of Hauenstein & Burmeister, Inc., a Minnesota corporation, was passed May 22, 1998 by the City Council and approved May 22, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.
(Published May 27, 1998)

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-159
By Niland

Providing for the issuance and sale of Industrial Development Refunding Revenue Bonds pursuant to Minnesota Statutes, Sections 469.152 to 469.1651, on behalf of Hauenstein & Burmeister, Inc., a Minnesota corporation.

Be It Resolved by The City Council of The City of Minneapolis:

1. Authority. The City of Minneapolis (the “City”) is, by the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Sections 469.152 to 469.1651, as amended (the “Act”), authorized to issue and sell its revenue bonds and refunding revenue bonds for the purpose of financing and refinancing costs of authorized projects and to enter into agreements necessary or convenient in the exercise of the powers granted by the Act.

2. Authorization of Refunding; Documents Presented. Hauenstein & Burmeister, Inc., a Minnesota corporation (the “Borrower”), has proposed to this Council that the City issue and sell its \$1,410,000 City of Minneapolis Industrial Development Refunding Revenue Bonds (Hauenstein & Burmeister, Inc. Project), Series 1998A (the “Series 1998A Bonds”) and its \$90,000 City of Minneapolis Taxable Industrial Development Refunding Revenue Bonds (Hauenstein & Burmeister, Inc. Project), Series 1998B (the “Series 1998B Bonds” and together with the Series 1998A Bonds, the “Bonds”), in substantially the forms set forth in the hereinafter-mentioned Trust Indenture, pursuant to the Act, and loan the proceeds

thereof to the Borrower in order to refinance costs incurred in the acquisition and construction of certain manufacturing and industrial facilities located at 2629 30th Avenue South in the City (the "Project"), owned by the Borrower. The Bonds are to be issued for the specific authorized purpose of causing to be refunded the City's outstanding Industrial Development Refunding Revenue Bonds (Hauenstein & Burmeister, Inc. Project), Series 1987, issued in the original aggregate principal amount of \$1,945,000 (the "Refunded Bonds") and currently outstanding in the aggregate principal amount of \$1,410,000, and to pay related administrative costs and costs of issuance. Forms of the following documents relating to the Bonds have been submitted to the City and are now on file in the office of the City Clerk:

(a) Loan Agreement (the "Loan Agreement") dated as of May 1, 1998, between the City and the Borrower, whereby the City agrees to make a loan to the Borrower of the gross proceeds of sale of the Bonds and the Borrower agrees to cause the Refunded Bonds to be refunded in full, and to pay amounts in repayment of the loan sufficient to provide for the full and prompt payment of the principal of, premium, if any, and interest on the Bonds, and to pay related administrative costs and costs of issuance;

(b) Trust Indenture (the "Trust Indenture") dated as of May 1, 1998, between the City and First Trust National Association as Trustee, authorizing the issuance of the Bonds and pledging certain revenues, including those to be derived from the Loan Agreement, as security for the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto;

(c) Combination Mortgage, Security Agreement and Fixture Financing Statement (the "Mortgage") dated as of May 1, 1998, from the Borrower to the Trustee, granting a mortgage lien against the Project Facilities in order to provide security for the Bonds;

(d) Assignment of Mortgage (the "Assignment") dated as of May 1, 1998, from the City to the Trustee, assigning and transferring the City's interest in the Mortgage;

(e) Bond Purchase Agreement (the "Bond Purchase Agreement"), by and between the Underwriter, the Borrower, and the City, providing for the purchase of the Bonds from

the City by the Underwriter and setting the terms and conditions of purchase; and

(f) Preliminary Official Statement and form of final Official Statement, the form of the Preliminary Official Statement, together with the insertion of such underwriting details as the interest rates to be borne by the Bonds and related matters, and including all Appendices thereto, intended to constitute the form of the final Official Statement (together referred to as the "Official Statement"), describing the offering of the Bonds, and certain terms and provisions of the foregoing documents.

3. Findings. It is hereby found, determined and declared that:

(a) The Project constitutes a project authorized by and described in the Act;

(b) There is no litigation pending or, to the best of its knowledge, threatened against the City relating to the Project or to the Bonds, the Loan Agreement, the Mortgage, the Bond Purchase Agreement or the Trust Indenture or questioning the organization, powers or authority of the City;

(c) The execution, delivery and performance of the City's obligations under the Bonds, the Trust Indenture, the Mortgage, the Assignment, the Bond Purchase Agreement and the Loan Agreement do not and will not violate any charter provision, or any order of any court or other agency of government of which the City is aware or in which the City is a party, or any indenture, agreement or other instrument to which the City is a party or by which it or any of its property is bound, or be in conflict with, result in a breach of, or constitute (with due notice or lapse of time or both) a default under any such indenture, agreement or other instrument;

(d) It is desirable that the Bonds be issued by the City upon the terms set forth in the Trust Indenture, under the provisions of which the City's interests in the Loan Agreement (except for rights of the City to indemnity and repayment of expenses and advances) will be pledged to the Trustee as security for the payment of principal of, premium, if any, and interest on the Bonds;

(e) The Loan Agreement provides for payments by the Borrower to the Trustee for the account of the City of such amounts as will be sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. The Loan Agreement obligates the Borrower to pay

for or cause to be paid all costs of operation and maintenance of the Project Facilities, including adequate insurance, taxes and special assessments; and

(f) Under the provisions of the Act, and as provided in the Loan Agreement and Trust Indenture, the Bonds are not to be payable from nor charged upon any funds of the City other than amounts payable by the Borrower pursuant to the Loan Agreement and related security provided in connection therewith, and moneys in the funds and accounts held by the Trustee which are pledged to the payment thereof; no owners of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City (other than the City's interests in the Loan Agreement assigned to the Trustee pursuant to the Indenture); the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City (other than the City's interests in the Loan Agreement assigned to the Trustee pursuant to the Indenture); and each Bond issued under the Trust Indenture shall recite that the Bond, including interest thereon, shall not constitute or give rise to a charge against the general credit or taxing powers of the City.

4. Approval and Execution of Documents.

The forms of Loan Agreement, Trust Indenture, Mortgage, Assignment, and Bond Purchase Agreement, referred to in paragraph 2, are approved. The Loan Agreement, Mortgage, Assignment, Bond Purchase Agreement and Trust Indenture are hereby authorized to be executed in the name and on behalf of the City by one or more officers of the City, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof, and then shall be delivered to the Trustee. Copies of all documents shall be delivered and filed as provided therein.

5. Approval, Execution and Delivery of Bonds. The City is hereby authorized to proceed forthwith to issue the Series 1998A Bonds and the Series 1998B Bonds, in aggregate principal amounts of not to exceed \$1,410,000 and \$90,000, respectively, in the forms and upon the terms set forth or to be set

forth in the Trust Indenture, as such Trust Indenture is to be executed and delivered pursuant to the provisions of this Resolution, and which terms are accordingly incorporated in this Resolution and made a part hereof; provided, however, that the maturities of the Bonds, the interest rates thereon, and the rights of optional or mandatory redemption with respect thereto shall only be as set forth in the final form of Indenture to be approved, executed and delivered by the officers of the City authorized to do so by the provisions of this Resolution, and such approval of such terms shall be conclusively evidenced by such execution and delivery; and provided further, however, that, in no event, shall such maturities exceed 12 years or such rates of interest produce a net interest cost in excess of 6.5% per annum. Officers of the City are hereby authorized to execute the Bonds as prescribed in the Trust Indenture and to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by Section 2.08 of the Trust Indenture, for authentication, registration and delivery to the Underwriter. As provided in the Trust Indenture, each Bond shall contain a recital that it is issued pursuant to the Act, and such recital shall be conclusive evidence of the validity and regularity of the issuance thereof.

6. Official Statement. The City hereby consents to the circulation by the Underwriter of the Official Statement in offering the Bonds for sale; provided, however, that the City has not participated in the preparation of the Official Statement or independently verified the information in the Official Statement and takes no responsibility for, and makes no representations or warranties as to, the accuracy or completeness of such information.

7. \$10 Million Election. The City hereby elects that the \$10 million election with respect to the Series 1998A Bonds and certain prior issues and capital expenditures, as provided under Section 144(a) of the Internal Revenue Code of 1986, as amended (or any applicable predecessor Section), shall apply to the Bonds.

8. Certificates, etc. Officers of the City are hereby authorized to prepare and furnish to bond counsel and the purchaser of the Bonds, when issued, certified copies of all proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts appearing

from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

9. Nature of City's Obligations. All covenants, stipulations, obligations, representations, and agreements of the City contained in this Resolution or contained in the aforementioned documents shall be deemed to be the covenants, stipulations, obligations, representations, and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations, representations, and agreements shall be binding upon the City. Except as otherwise provided in this Resolution, all rights, powers, and privileges conferred, and duties and liabilities imposed upon the City by the provisions of this Resolution or of the aforementioned documents shall be exercised or performed by such officers, board, body or agency as may be required or authorized by law to exercise such powers and to perform such duties. No covenant, stipulation, obligation, representation, or agreement herein contained or contained in the documents referred to above shall be deemed to be a covenant, stipulation, obligation, representation, or agreement of any council member, officer, agent, or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds or such documents shall be liable personally on the Bonds or be subject to any representation, personal liability or accountability by reason of the issuance thereof. No provision, representation, covenant or agreement contained in the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general obligation of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in the Bonds or in any other document related to the Bonds, the City has not obligated itself to pay or remit any funds or revenues, other than the Trust Estate described in the Indenture.

10. Rights Conferred. Except as herein otherwise expressly provided, nothing in this

Resolution or in the Indenture, expressed or implied, is intended or shall be construed to confer upon any person, firm, or corporation other than the City, the owners of the Bonds, the Trustee, and the Borrower, to the extent expressly provided in the Loan Agreement or the Indenture, any right, remedy, or claim, legal or equitable, under and by reason of this Resolution or any provision hereof or of the Indenture or any provision thereof, this Resolution, the Indenture and all of their provisions being intended to be and being for the sole and exclusive benefit of the owners from time to time of the Bonds issued under the provisions of this Resolution and the Indenture, the City and the Borrower to the extent expressly provided in the Loan Agreement or the Indenture.

11. Payment of Costs. All costs incurred by the City in connection with the issuance, sale and delivery of the Bonds and the execution and delivery of the documents referred to above or any other agreement or instrument relative to the Bonds, whether or not actually issued or delivered, have been agreed by the Borrower to be paid by the Borrower or reimbursed by the Borrower to the City.

12. Authorized Officers. The Bonds and the documents referred to herein are authorized to be executed on behalf of the City by its Mayor, City Clerk and Finance Officer; provided that in the event any of the officers of the City authorized to execute documents on behalf of the City under this Resolution shall have resigned or shall for any reason be unable to do so, any member of the City Council of the City, or any officer or employee of the City, is hereby directed and authorized to do so on behalf of the City, with the same effect as if executed by any officer specifically authorized to do so in the Indenture or this Resolution.

13. Governmental Program. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

14. Effective Date. Be It Further Resolved that this Resolution shall be in full force and effect from and after its passage.

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998. J. Cherryhomes, President of Council.
Approved May 22, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends passage of the accompanying resolution approving the classification of tax forfeited properties at 1601 – 2nd St N and 2018 W Broadway as non-conservation land for the purpose of conveyance to the Minneapolis Community Development Agency (MCDA) (Petn No 263775).

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA for adoption of a resolution authorizing the submission of an application to the Commissioner of Revenue and Hennepin County for the conveyance of said properties.

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-160
By Niland

Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non conservation and the conveyance thereof.

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that the properties be withheld from public and private sale and conveyed to the Minneapolis Community Development Agency.

TAX FORFEITED PROPERTY TO BE ACQUIRED			
FORFEIT ADDRESS	PIN NUMBER	LEGAL DESCRIPTION	DATE
1601 2nd Street N.	15-029-24-31-0007	East 150 feet of Lots 1 to 4 inclusive, Block 27, Bassett, Moore and Case's Addition to the Town of Minneapolis	2/13/98
2018 W. Broadway	16-029-24-23-0060	Lot 70, Block 19 Forest Heights	9/18/97

Be It Further Resolved that this matter be referred to the Minneapolis Community Development Agency for authorization to submit an application to the Commissioner of Revenue and the County of Hennepin for the conveyance of said property pursuant to the provisions of Minnesota Statutes 282.01, Subd. 1 and Subd. 1a, as amended by Laws 1990. Chapter 604, Article 3, Section 37.

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998. J. Cherryhomes, President of Council.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration allocation of 1998 Federal Low Income Housing Tax Credits, now recommends concurrence in the recommendation of the Minneapolis Community Development Agency (MCDA), acting on behalf of the Minneapolis/St. Paul Housing Finance Board, that the City preliminarily reserve \$534,780 in 1998 Federal Low Income Housing Tax Credits for the following projects, as more fully set forth in Petn No 263775, in the amounts indicated:

a. Creamette Project – \$53,124:

Rehabilitation of the historic four story Creamette manufacturing building at 428 N 1st St into 28 loft-style apartments;

b. East Village Project – \$149,743:

Purchase and demolition of all buildings located on block bounded by 11th Ave S, S 8th St, 12th Ave S and E 15th St to develop a small urban village of 176 rental housing units;

c. Evergreen Project – \$331,913: New construction of an 88 unit single room occupancy facility at 173 Glenwood Ave.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS** and **ZONING & PLANNING** Committees submitted the following report:

Comm Dev, T&PW, & Z&P – Your Committee, to whom was referred a resolution establishing a Task Force to make redevelopment recommendations for Nicollet Ave, now recommends:

Comm Dev – passage of the accompanying resolution establishing a Task Force with 6 at-large members and 6 members from neighborhood associations to make recommendations for Nicollet Ave from 28th St to 62nd St and report back with findings and recommendations by November 1, 1998.

T&PW – passage of the accompanying resolution establishing a Task Force with 5 at-large members and 7 members from neighborhood associations to make recommendations for Nicollet Ave from Franklin Ave to 62nd St and report back with findings and recommendations by February 1,

1999, with the exception that the Task Force report back on the redevelopment of the Nicollet Ave and Lake St area by September 15, 1998.

Z&P – passage of the accompanying resolution establishing a Task Force with 6 at-large members and 6 members from neighborhood associations to make recommendations for Nicollet Ave from 28th St to 62nd St and report back with findings and recommendations by November 1, 1998, with the understanding that the resolution would be amended so that the area from 28th St to 31st St would receive expedited treatment.

Niland moved to amend the report to approve the Transportation & Public Works Committee recommendation and to delete the Community Development and Zoning & Planning Committees' recommendations. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-161

**By Mead, Herron,
Niland, and McDonald**

Establishing a Task Force for the purpose of making redevelopment, roadway, transportation and streetscape design recommendations for Nicollet Avenue from Franklin Avenue to 62nd Street.

Whereas, Nicollet Avenue is a major corridor serving southwest Minneapolis as a gateway and thoroughfare; and

Whereas, Nicollet Avenue serves as a destination with opportunities that include housing, shopping, services, dining, recreation, worship, education, and employment; and

Whereas, Nicollet Avenue runs through the Windom, Tangletown, Kingfield, Lyndale, Whittier and Stevens Square neighborhoods; and

Whereas, Nicollet Avenue and its streetscape have recently been improved in

some neighborhoods and other neighborhoods are planning such improvements; and

Whereas, the need to revitalize unimproved portions of Nicollet Avenue and its environs is urgent so that homeowners and businesses will have the confidence to continue their investments in the areas served by Nicollet Avenue; and

Whereas, Nicollet Avenue's significance as a major transportation thoroughfare for city residents and businesses mandates that an overall unified and comprehensive plan for the street be developed in a fashion that compliments each neighborhood the street traverses; and

Whereas the closing of Nicollet Avenue at Lake Street twenty years ago has had serious negative impacts on Nicollet Avenue both as a transportation corridor and as a location for retail and other businesses;

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

That a task force be established for the purposes of making redevelopment, roadway, transportation and streetscape design recommendations for Nicollet Avenue from Franklin Avenue to 62nd Street.

Be It Further Resolved that the task force consist of five at large members representing professional expertise in such fields as architecture, urban design, transportation management, landscape architecture, and community/economic development. Such members will be selected through the open appointments process. There will also be seven members, one each appointed by Midtown Greenway Coalition, Windom Community Council, Tangletown Neighborhood Association, Kingfield Neighborhood Association, Lyndale Neighborhood Association, Whittier Alliance and Stevens Square Community Organization.

Be It Further Resolved that City Planning, Public Works and MCDA staff work with the Nicollet-Lake Business Association, Nicollet Avenue Task Force, Whittier and Lyndale neighborhoods and Midtown Community Works Partnership to examine reopening Nicollet Avenue and redeveloping Nicollet Avenue at Lake Street, with the understanding that staff report back its findings and recommendations on the reopening/redevelopment by September 15, 1998.

Be It Further Resolved that the task force report back its findings and recommendations to the City Council by February 1, 1999.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration the report of the Minneapolis Community Development Agency (MCDA) relating to the Portland Place Redevelopment Plan, the Portland Place Tax Increment Finance Plan and Modification No. 18 to the Model City Urban Renewal Plan, all of which involve development of a two square block area east of the Honeywell corporate headquarters and bounded by 26th St E on the north, 28th St E on the south, 5th Ave S on the west and Portland Ave on the east into 49 new units of housing and rehabilitation of 1 vintage single family home (Petr No 263779), and having conducted a public hearing thereon, now recommends –

Comm Dev – Approval of recommendations (a) through (h) –

a) Passage of the accompanying resolution approving Modification No. 18 to the Model City Urban Renewal Plan and creation of the Portland Place Redevelopment Plan, including the establishment of the Portland Place Tax Increment Financing Plan for the Portland Place Project dated March 27, 1998 and revised April 27, 1998;

b) Approval of the use of tax increment financing as outlined in Petr No 263779, and a grant to the developer of the Portland Place Project from Fund FNA-Neighborhood Development Account in the amount of \$2,280,000 to provide gap financing;

c) Passage of the accompanying resolution increasing the appropriation in Fund FNA-Neighborhood Development Account by \$2,280,000;

d) Referral of this action to the Board of Commissioners of the MCDA;

e) Direct MCDA staff to delete reference to decreasing density in the project's description and substitute in lieu thereof references to increasing green space;

f) Direct MCDA staff to properly reference, in the Redevelopment Plan, "The Minneapolis Plan" as "The Draft Minneapolis Plan" as said Plan has not been officially adopted;

g) Direct MCDA staff to review allocation in the Neighborhood Development Account and seek other alternatives to reduce that commitment, explore diversifying that funding source;

h) Direct MCDA staff to report back for review and/or approval reallocation of any gap funding source if Department of Housing & Urban Development (HUD) grant is not issued in a timely manner.

W&M/Budget – Forwarding without recommendation items (c) and (d) and approving items (a), (b) and (e) through (h) –

a) Passage of the accompanying resolution approving Modification No. 18 to the Model City Urban Renewal Plan and creation of the Portland Place Redevelopment Plan, including the establishment of the Portland Place Tax Increment Financing Plan for the Portland Place Project dated March 27, 1998 and revised April 27, 1998;

b) Approval of the use of tax increment financing as outlined in Petn No 263779;

c) Approval of a grant to the developer of the Portland Place Project from Fund FNA-Neighborhood Development Account in the amount of \$2,280,000 to provide gap financing;

d) Passage of the accompanying resolution increasing the appropriation in Fund FNA-Neighborhood Development Account by \$2,280,000;

e) Referral of this action to the Board of Commissioners of the MCDA;

f) Direct MCDA staff to delete reference to decreasing density in the project's description and substitute in lieu thereof references to increasing green space;

g) Direct MCDA staff to properly reference, in the Redevelopment Plan, "The Minneapolis Plan" as "The Draft Minneapolis Plan" as said Plan has not been officially adopted;

h) Direct MCDA staff to review allocation in the Neighborhood Development Account and seek other alternatives to reduce that commitment, explore diversifying that funding source.

Niland moved to amend the report to approve the Community Development Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 10; Nays, 1 as follows:

Yeas – Biernat, Niland, Goodman, Colvin Roy, Mead, McDonald, Johnson, Ostrow, Campbell, Cherryhomes.

Nays – Minn.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

RESOLUTION 98R-162

By Niland and Campbell

Adopting the Portland Place Redevelopment Plan, the Portland Place Tax Increment Finance Plan, and Modification No 18 to the Model City Urban Renewal Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.01. That the Minneapolis Community Development Agency (the "Agency") has the authority to propose and implement redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended; and Minneapolis Code of Ordinances, Chapter 422, as amended (collectively, the "Laws").

1.02. It has been proposed that the Agency prepare the Portland Place Redevelopment and Tax Increment Finance Plans to reflect project activities and costs, the designation of property that may be acquired, and the establishment of the Portland Place Project Tax Increment Finance District (the "TIF District"), and modify the Model City Urban Renewal Plan to change the boundary by deleting a portion of the project area (the "Model City Project Area"); all pursuant to and in accordance with the Laws.

1.03. The Agency has caused to be prepared, and this Council has investigated the facts with respect to the proposed Portland Place Redevelopment and Tax Increment Finance Plans, (collectively, the "Plans") describing more precisely the activities to be undertaken, public costs, the designation of property that may be acquired, and the identification of a budget for expenditures, within the area bounded by the project (the "Project Area"), all pursuant to and in accordance with the Laws.

1.04. The Agency has caused to be prepared, and this Council has investigated the facts with respect to a proposed Modification No 18 to the Model City Urban Renewal Plan, describing more precisely the property to be deleted from the Model City Project Area, all pursuant to and in accordance with the Laws.

1.05. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.06. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plans to reflect project activities and costs in the Project Area and the boundary change in the Model City Project Area.

Section 2. Findings for the Adoption of the Plans.

2.01. The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the Project Area and TIF District by private enterprise as the proposed development or redevelopment eliminates the blighting influences of obsolete, blighted, and deteriorating substandard structures requiring substantial renovation or clearance, and exhibiting deficiencies in other categories, and redevelops the area by new construction and rehabilitation. The proposed Portland Place development will include approximately 51 new units of housing and the

rehabilitation of one existing single family home, as well as public improvements and streetscaping. The unit mix of the new construction includes 26 townhomes, 18 twin homes, and 7 single family homes on the property lying within the boundaries of the TIF District.

2.02. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued on May 4, 1998, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.03. The Council further finds, determines and declares that the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of tax increment financing is deemed necessary, as the land in the Project Area would not be made available for redevelopment without the financial aid to be sought. Further, the private redevelopment of the property included in the TIF District could not occur without public participation and financial assistance, due to the high cost of property acquisition and site preparation, including relocation and demolition, for the existing blighted properties in that the impact of these costs upon the feasibility of new private development or rehabilitation, as well as extraordinary project costs that necessitate the use of a land write down in order to facilitate the recycling of this site for redevelopment, because of the location of the project, and the impact of the adjacent neighborhood conditions on the fair market value of the new housing that will be developed, the initial sales price of the new units will not cover their cost of development. These findings are bolstered by the conclusions contained in the market study prepared by Maxfield Associates dated June 1997 which determined that a substantial public subsidy is necessary to develop owner-occupied housing in the area of the Portland Place development. Furthermore, no residential building permits have been applied for in the area of the Portland Place development other than for low-moderate income housing developments assisted by the Agency, the Minnesota Housing Finance Agency and other local public agencies for the past several years.

Homeownership is necessary to stabilize this generally transient area. Therefore, an additional public subsidy is necessary to fill this gap in the development costs, and will be paid for with other public grants and funding sources; and the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by the Plans.

2.04. The Council further finds, determines and declares that the property to be included in the TIF District consists of property that qualifies for inclusion in a redevelopment district and is blighted and the buildings are substandard, as defined in Minnesota Statutes, Section 469.002, Subdivision 11 and Section 469.174, Subdivision 10; that the tax increment financing district to be established meets the criteria of a redevelopment district as defined therein, based upon detailed and documented parcel-by-parcel interior and external inspections of the properties to be included in the TIF District; that exterior surveys were conducted for all buildings, and interior inspections were conducted for 15 of the 21 buildings; and that the reasons and supporting facts for these determinations are retained and available from the Agency.

2.05. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and Sections 469.174 through 469.179, as amended.

2.06. The Council further finds, determines and declares that the City elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3 (a), and that it is the intent of the City and Agency that the entire fiscal disparity contribution required of the City for development occurring within this TIF District be taken from outside this TIF District.

2.07. The Council further finds, determines and declares that the City elects to make the qualifying local contribution to project costs required pursuant to Minnesota Statutes, Section 273.1399, thereby exempting the City

from the State Aid Offset (LGA/HACA penalty) on the TIF District.

2.08. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plans and Modification No 18 to the Model City Urban Renewal Plan.

Section 3. Approval of the Plans.

3.01. Based upon the findings set forth in Section 2 hereof, the Portland Place Redevelopment Project Plan, the Portland Place Tax Increment Finance Plan and Modification No 18 to the Model City Urban Renewal Plan presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.01. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 10; Nays, 1 as follows:

Yeas – Biernat, Niland, Goodman, Colvin Roy, Mead, McDonald, Johnson, Ostrow, Campbell, Cherryhomes.

Nays – Minn.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

RESOLUTION 98R-163

By Niland

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA – Neighborhood Development Account by \$2,280,000 from available fund balance.

Adopted. Yeas, 10; Nays, 1 as follows:
Yeas – Biernat, Niland, Goodman, Colvin
Roy, Mead, McDonald, Johnson, Ostrow,
Campbell, Cherryhomes.

Nays – Minn.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes,
President of Council.

Approved May 22, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998 & Republished
June 20, 1998)

Comm Dev & W&M/Budget – Your
Committee, having under consideration
Modification No. 58 to the Common
Development and Redevelopment Plan and
Common Tax Increment Finance Plan related
to the Penn and Lowry Redevelopment Project
(1.3 acres located at the southeast corner of
Penn and Lowry Aves N), and having
conducted a public hearing thereon, now
recommends passage of the accompanying
resolution adopting said Modification, as set
forth in Petn No 263779.

Your Committee further recommends that
the proper officers of the Minneapolis
Community Development Agency (MCDA)
continue to negotiate with Richard Cohen,
owner of the retail property located at the
southeast corner of Penn and Lowry Aves N,
relating to specific development proposals.

Your Committee further recommends that
this action be referred to the Board of
Commissioners of the MCDA.

Adopted. Yeas, 10; Nays none.

Declining to vote – Minn.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-164
By Niland and Campbell

**Adopting Modification No. 58 to the
Common Development and Redevelopment
Plan and Common Tax Increment Finance
Plan (Penn and Lowry Redevelopment
Project).**

Resolved by The City Council of The City
of Minneapolis:

Section 1. Recitals.

1.01. That the Minneapolis Community
Development Agency (the "Agency") has the
authority to propose and implement
redevelopment projects and tax increment
financing districts, all pursuant to Minnesota
Statutes, Sections 469.001 through 469.047,
and 469.174 through 469.179, as amended;
Laws of Minnesota 1971, Chapter 677, as
amended; Laws of Minnesota 1980, Chapter
595, as amended; and Minneapolis Code of
Ordinances, Chapter 422, as amended
(collectively, the "Laws").

1.02. That by Resolution No 89R-530 duly
adopted December 15, 1989 and approved
December 21, 1989, the City of Minneapolis
(the "City") has approved the creation by the
Agency of the Common Development and
Redevelopment Project (the "Common Project
Area") and the adoption of the Common
Development and Redevelopment Plan and the
Common Tax Increment Financing Plan (the
"Common Plans") relating thereto, all pursuant
to the Laws.

1.03. It has been proposed that the Agency
modify the Common Plans to reflect an
enlargement of the Common Project Area, new
project activities and costs, the designation of
property that may be acquired, and the
establishment and preservation of the right of
the City to create a redevelopment tax
increment financing district that includes these
parcels, all pursuant to and in accordance with
the Laws.

1.04. The Agency has caused to be
prepared, and this Council has investigated the
facts with respect to a proposed Modification
No 58 to the Common Plans, describing more
precisely the activities to be undertaken, project
costs, the designation of property that may be
acquired, and the identification of a budget for
expenditures within the Common Project Area,
all pursuant to the Laws.

1.05. The Agency and the City have
performed all actions required by law to be
performed prior to the adoption of Modification
No 58 to the Common Plans, including, but not
limited to, a review of the proposed
Modification No 58 to the Common Plans by
the affected neighborhood groups and the
Planning Commission, transmittal of the
proposed Modification No 58 to the Common
Plans to the Hennepin County Board of
Commissioners and the School Board of

Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.06. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Modification No 58 to the Common Plans to reflect an enlargement of the Common Project Area, designation of property that may be acquired, project activities and costs in the Common Project Area.

Section 2. Findings for the Adoption of the Plans.

2.01. The Council hereby finds, determines and declares that Modification No 58 to the Common Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the Common Project Area by private enterprise as the proposed development or redevelopment eliminates the blighting influences of obsolete, blighted, and deteriorating substandard structures requiring substantial renovation or clearance, and exhibiting deficiencies in other categories, by providing a clean site for commercial development, fostering investor confidence by removing blighted structures.

2.02. The Council further finds, determines and declares that Modification No 58 to the Common Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Modification No 58 to the Common Plans were issued on May 18, 1998, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.03. The Council further finds, determines and declares that the area to be added to the Common Project Area in the Modification would not be made available for redevelopment without the financial aid to be sought.

2.04. The Council further finds, determines and declares that the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of tax increment financing is deemed necessary. Further, the private redevelopment of the property included could not occur without public participation and financial assistance, due to the high cost of property acquisition and site preparation, including pollution cleanup and demolition, for

the existing blighted properties, in that the impact of these costs upon the feasibility of new private development or rehabilitation in order to facilitate the recycling of this site for redevelopment, and because of the location of the project, will not cover their cost of development. This vacant property has fallen into further decay and disrepair over time. Therefore, public subsidy is necessary to assist in the development costs, and will be paid for with additional public grants and funding sources.

2.05. The Council further finds, determines and declares that the area to be added to the Common Project Area in the Modification is a blighted area, and that the objectives and actions authorized by the Modification are consistent with the undertaking of a redevelopment project, pursuant to the Laws; and that the tax increment financing district to be established, if necessary, would meet the criteria of a redevelopment district, as defined in Minnesota Statutes, Section 469.174, Subdivision 10, based upon detailed and documented parcel-by-parcel interior and exterior inspections of the properties to be included in the TIF district; that exterior surveys were conducted for all buildings, and interior and exterior inspections were conducted for the commercial buildings; and that the reasons and supporting facts for these determinations are retained and available from the Agency.

2.06. The Council further finds, determines and declares that the area added to the Common Project Area in the Modification includes parcels occupied by structurally substandard buildings, and it is the intent of the Modification to authorize clearance of these parcels while establishing and preserving the right of the City to create a redevelopment tax increment financing district that includes these parcels, as needed, within three years of demolition, pursuant to Minnesota Statutes, Section 469.174, Subdivision 10.

2.07. The Council further finds, determines and declares that the objectives and actions authorized by Modification No 58 to the Common Plans are all pursuant to and in accordance with the Laws.

2.08. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve Modification No 58 to the Common Plans (Penn and Lowry Redevelopment Project).

Section 3. Approval of the Plans.

3.01. Based upon the findings set forth in Section 2 hereof, Modification No 58 to the Common Plans presented to the Council on this date, is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.01. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of Modification No 58 to the Common Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 10; Nays none.

Declining to vote – Minn.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration a proposal by Viking Materials, Inc., 3225 Como Ave SE, to construct a 40,000 square foot addition to their existing facility, and the issuance of bonds to finance the project, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the project and to the issuance of up to \$4.0 million in Taxable and/or Tax-exempt Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 1998, for Viking Materials, Inc., to be issued through the Common Bond Fund, and designating the bonds as bonds entitled to the security provided by Ordinance No. 87-Or-084, Tax Reserve and Pledge Ordinance (Petr No 263779).

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by said Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolution and that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-165, giving preliminary approval to a project on behalf of Viking Materials, Inc., a Minnesota corporation, and authorizing the issuance of taxable and/or tax-exempt revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement, was passed May 22, 1998 by the City Council and approved May 28, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-165
By Niland and Campbell

Giving preliminary approval to a project on behalf of Viking Materials, Inc., a Minnesota corporation, and authorizing the issuance of taxable and/or tax-exempt revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement.

Whereas, the City Council, by Ordinance No. 81-Or-017, as amended by Ordinance No. 82-Or-076, reorganized and renamed the Housing and Redevelopment Authority in and for the City of Minneapolis as the Minneapolis Community Development Agency (the "Former Agency"), and granted additional powers and duties pursuant to Minnesota Laws of 1980, Chapter 595; and

Whereas, the City Council, by Ordinance No. 86-Or-035, renamed the Former Agency as the Minneapolis Public Housing Authority and created a new public corporation named the Minneapolis Community Development Agency

(the "Agency") to which the City Council granted the development powers of the Former Agency and to which the City Council extended the development obligations of the Former Agency; and

Whereas, pursuant to Minnesota Laws of 1980, Chapter 595, Ordinance No. 81-Or-017, as amended, and Ordinance No. 86-Or-035, as amended, of the City Council and Minnesota Statutes, Sections 469.152 through 469.1651 (collectively, the "Act"), the Agency is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue-producing enterprise engaged in any business; and

Whereas, by Resolution No. 82-512, adopted by the Former Agency on December 15, 1982, as amended, the Former Agency established a certain common bond fund and provided for the issuance from time to time by the Agency of economic development revenue bonds to be secured thereby ("Common Fund Bonds"); and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended by the Minneapolis City Council on June 27, 1986, the Agency has authority to issue Common Fund Bonds and is the successor to the Common Fund Bonds issued by its predecessor; and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended, the City Council is required to give preliminary and final approval to the issuance of any bonds by the Agency; and

Whereas, representatives of Viking Materials, Inc., a Minnesota corporation and its successors, affiliates and assigns (together, the "Company"), have indicated an interest and desire to construct an approximately 40,000 square foot addition to its existing facility and to acquire certain manufacturing equipment in connection therewith, and has requested that the Agency issue up to \$4,000,000 of its Common Fund Bonds to finance the proposed project (the "Bonds"). The proposed project will be located at 3225 Como Avenue S.E. in the City of Minneapolis, for use by the Company in its steel processing business and related activities (the "Project"); and

Whereas, the City Council has been advised that in accordance with the Act, a

public hearing on the proposal to finance the Project has been conducted by the Community Development Committee of the City Council on behalf of the Agency, preceded by notice thereof as required by the Act, and at such public hearing all parties were given an opportunity to express their views with respect to the proposed undertaking and financing of the Project; and

Whereas, the City Council has been further advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City of Minneapolis at least fourteen (14) days prior to consideration hereof; and

Whereas, the Agency by resolution expected to be adopted on the date hereof, a form of which has been made available to the City Council, will give preliminary approval to the Project and the issuance of the Bonds in accordance with the Act;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary approval to the Project and the issuance by the Agency of its Common Fund Bonds pursuant to the Act for the purpose of financing the Project in the aggregate sum of \$4,000,000 or such other amount approved by the Agency not exceeding such sum by more than ten percent (10%).

Be It Further Resolved that this approval of the City Council is hereby given as required by Ordinance No. 86-Or-035, as amended.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the 1998 Capital Budget Footnote requesting development by the Minneapolis Community Development Agency (MCDA) and the Public Works Department of a street paving project for 1998 and 1999 for the North Washington Jobs Park, which is bounded by 10th Ave N, 17th Ave N, Washington Ave N and the railroad tracks east of 2nd St N, now recommends passage of the accompanying resolution increasing the appropriation in Fund CPA –

North Washington Industrial Park by \$115,601 and increasing the appropriation in Fund CAD – Tax Increment Administration by \$3,468 to implement said project.

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-166
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation in Fund CPA – North Washington Industrial Park by \$115,601 from current projected fund balance;

b) Increasing the appropriation in Fund CAD – Tax Increment Administration by \$3,468 from current projected fund balance.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency appropriation in Fund FNA – Neighborhood Development Account by \$635,000 in relation to the sale of land and Leveraged Investment Fund Loan to Jefferson Lines to assist in financing the development of their maintenance/headquarters facility at 26th St and Hiawatha Ave.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-167
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA – Neighborhood Development Account by \$635,000 from projected fund balance.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee recommends passage of the accompanying resolution increasing the appropriation in Fund SDA – Development Account by \$1,000 to fund the purchase of 2412 Plymouth Ave N for lease by One Spirit Church as a daycare playground.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-168
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SDA – Development Account by \$1,000 from available fund balance.

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998. J. Cherryhomes,
President of Council.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County “second 7.5%” NRP funds in the amount of \$10,000 to support implementation of the Longfellow/Seward Healthy Seniors Program, developed as part of the Longfellow NRP Action Plan, now recommends:

1. Approval of the use of Hennepin County’s “second 7.5%” NRP funds for said purpose;
2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$10,000;
3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said Program; and
4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 263780).

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-169
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$10,000 from projected fund balance.

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998. J. Cherryhomes,
President of Council.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County “second 7.5%” NRP funds in the amount of \$100,000 to support the transition of the Andersen Family Resource Center in the Phillips neighborhood into a Minneapolis Redesign Collaborative hub site for the south central Minneapolis area, now recommends:

1. Approval of the use of Hennepin County’s “second 7.5%” NRP funds for said purpose;
2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$100,000;
3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and
4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 263780).

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-170
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$100,000 from projected fund balance.

Adopted. Yeas, 11; Nays none.
Absent – Thurber, Herron.
Passed May 22, 1998. J. Cherryhomes,
President of Council.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the St. Anthony West Neighborhood Action Plan Modification which adds new strategies 1.C. (Zoning), 1.B. and 2.A. (Commercial Development) and 1.C. (Safety) as set forth in Petn No 263780, and incorporating these strategies in said Plan, now recommends:

1. That said Modification, and specifically those parts of the Modification which fall under City jurisdiction, be approved;

2. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

3. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Lowry Hill East Neighborhood's request for early access to NRP funds in the amount of \$93,674 to support the renovation of Mueller Park, as set forth in Petn No 263780, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$93,674;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-171
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$93,674 from projected fund balance.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes,
President of Council.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Marshall Terrace Neighborhood's request for early access to NRP funds in the amount of \$10,000 as an early resource commitment to the Concerned Citizens of Marshall Terrace to support the development of a riverfront planning effort that is coordinated with development of the *"Master Plan for Park and Land Use Development Guidelines in the Upper Mississippi River Corridor of North and Northeast Minneapolis"*, as set forth in Petn No 263780, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$10,000;

3. That the proper City officers be authorized to execute any agreements needed

to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-172
By Niland and Campbell

Amending The 1998 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$10,000 from projected fund balance.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the recommendation of the Minneapolis Community Development Agency (MCDA) regarding the Phillips Park Project, a four block housing development located on Chicago Ave on the east, Portland Ave on the west, 24th St on the north and 25th St on the south, relating to –

a) Approval of the use of tax increment financing as outlined in Petn No 263779 and a grant to the developer of the Phillips Park Initiative Project from Fund FNA – Neighborhood Development Account in the amount of \$400,000 to provide gap financing;

b) Passage of the accompanying resolution increasing the appropriation in Fund FNA – Neighborhood Development Account by \$400,000;

c) Referral of this action to the Board of Commissioners of the MCDA;
now recommends:

Comm Dev – Approval of the recommendation.

W&M/Budget – Approval of the recommendation, with the direction that MCDA staff report back as part of the budget process to identify targeted funds for the loan guarantee.

Niland moved to amend the report to approve the Ways & Means/Budget Committee recommendation and to delete the Community Development Committee recommendation.
Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

RESOLUTION 98R-173
By Niland and Campbell

Amending The 1998 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA – Neighborhood Development Account by \$400,000 from available fund balance.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, Herron.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

The **ELECTIONS** Committee submitted the following report:

Elections – Your Committee recommends approval of the appointment of election judges and designation of polling places for all elections in 1998, as set forth in Petn No

263781.1 on file in the office of the City Clerk, in accordance with Chapter 2, Section 6 of the Charter of the City of Minneapolis.

Biernat moved to amend the report by deleting the language "appointment of election judges and". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following report:

IGR – Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 1998, Chapter 390, relating to Minneapolis Employees Retirement Fund benefits for surviving spouses.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

RESOLUTION 98R-174
By Campbell

Approving Laws of Minnesota 1998, Chapter 390.

Whereas, the Minnesota State Legislature has passed a law relating to Minneapolis Employees Retirement Fund Pension survivor benefits; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved effective May 1, 1998, and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

The **INTERGOVERNMENTAL RELATIONS** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

IGR & T&PW – Your Committee recommends passage of the accompanying resolution supporting the requests of the Phillips Partnership and the Metropolitan Council for federal funds to improve transit accessibility to Lake Street and I-35W and adjoining neighborhoods.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-175
By Herron

Affirming support of the Phillips Partnership and Metropolitan Council request for federal funding under H.R. 2400.

Whereas, the City of Minneapolis is supportive of efforts to provide greater accessibility to and from Lake Street and the adjoining neighborhoods; and

Whereas, the City of Minneapolis supports the efforts of the Metropolitan Council, Metro Transit Division, in the provision of upgraded transit stations at Lake Street and I-35W; and

Whereas, the Phillips Partnership and Metropolitan Council have both submitted requests for federal funding under H.R. 2400, the ISTEA re-authorization measure, in order to study, design and construct such transportation components necessary for these entities to combine their efforts to improve accessibility for the area; and

Whereas, the total amount requested by the Metropolitan Council and the Phillips Partnership is approximately \$3 million;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council supports both requests made for federal assistance, through H.R. 2400 or any other legislative initiative that would provide the requested funding.

Be It Further Resolved that the City Clerk's Office be directed to provide copies of this Resolution to members of the Minnesota Congressional Delegation in Washington D.C.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The INTERGOVERNMENTAL RELATIONS, TRANSPORTATION & PUBLIC WORKS and ZONING & PLANNING

Committees submitted the following report:

IGR, TP&W & Z&P – Your Committee, to whom was referred a resolution requesting the Metropolitan Airports Commission to make commitments relating to the Bureau of Mines (BOM) property,

IGR & T&PW – now recommends passage of the accompanying amended resolution in which the primary changes are additional requests that the BOM property not be used for a third parallel runway and that the property be set aside for perpetual use as open space.

Z&P – now forwards the accompanying original resolution without recommendation.

Campbell moved that the report be amended by deleting the Zoning & Planning recommendation and approving the Intergovernmental Relations and Transportation & Public Works recommendation. Seconded.

Adopted by unanimous consent.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**AMENDED
RESOLUTION 98R-176
By Mead, Colvin Roy
and Johnson**

Requesting the Metropolitan Airports Commission and the U.S. Department of the Interior to make commitments relating to the Bureau of Mines property near the Minneapolis-Saint Paul Airport.

Whereas, the Metropolitan Airports Commission (MAC) continues to pursue the acquisition of Bureau of Mines (BOM) property near the Minneapolis-Saint Paul Airport; and

Whereas, the MAC has consistently stated that it wants to control the BOM property ("the property") across Highway 55 for a runway protection zone and buffer area, due in large part to the planned extension of Runway 4/22; and

Whereas, the City of Minneapolis recognizes the geographic and historic importance of this site relative to the Mississippi River, to the Mississippi National River and Recreation Area, to Minnehaha Regional Park and to Fort Snelling State Park; and

Whereas, the Mayor of Minneapolis and the Department of Interior (DOI) have expressed their desire to have the property maintained as open space; and

Whereas, the combination of MAC's own limitations on the use of the property, the importance of this area as open space to the community, and MAC's repeated statements that it is buying and leasing the property for a runway protection and buffer area and that it intends to maintain the property as open space, should result in MAC dedicating this acreage as open space, which can be accomplished in several ways including a conservation easement or deed/lease restriction;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis requests the MAC to commit, in writing, to limit the use of the entire BOM property to open space that:

(a) is accessible to the general public including, but not limited to, a bike trail linking Minnehaha Regional Park with Fort Snelling State Park;

(b) preserves the historic resources available to the community and the region; and

(c) cannot be used for a so-called "third parallel" runway at Minneapolis-St. Paul International Airport, including as a runway protection zone or buffer area related to any third parallel runway.

Be It Further Resolved, that the City of Minneapolis respectfully requests that the DOI ensure the BOM property's perpetual use as open space (as described in the preceding paragraph) through a conservation easement, deed restriction or other permanent and enforceable mechanism.

Be It Further Resolved that the City of Minneapolis respectfully requests that the MAC agree to demolish the buildings on the BOM property across Highway 55 for a variety of reasons, including safety.

Be It Further Resolved that the MAC commit to work with the City of Minneapolis, the Minneapolis Park and Recreation Board, Suburban Hennepin Regional Park District, Minnesota Department of Natural Resources and the National Park Service to determine how the property fits into the current Mississippi National River and Recreational Area (MNRRA) plan and how and by whom the property will be operated as open space accessible to the general public.

Be It Further Resolved that the MAC agree to work with the State Historic Preservation Office and others to assure that historic sites on the property are protected and made accessible to the public.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, having under consideration the application of Acadia Cafe Inc, dba Acadia Cafe, 1931 Nicollet Av S, for a Sidewalk Cafe License to expire April 1, 1999 (new business), and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of M & E Restaurant Corp, dba Ping's Szechuan Bar & Grill, 1401 Nicollet Av, for an On-Sale Liquor Class E with Sunday Sales license to expire January 1, 1999 (expansion of premises for a Sidewalk Cafe), and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of La Toscana LLC, dba La Toscana, 3220 W Lake St (Calhoun Village), for an On-Sale Liquor Class E with Sunday Sales license to expire July 1, 1999 (new business), and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Bon Appetit Inc, dba Bon Appetit, 421 14th Av SE, for an On-Sale Wine Class C-1 with Strong Beer to expire April 1, 1999 (upgrade from Class E with Strong Beer), and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1998

International Catering Inc, dba Atrium Cafe/Atrium Catering Int'l, 275 Market St (temporary expansion of premises, May 14, 1998 from 5:00 to 11:00 p.m. for Marketing Research Association);

International Catering Inc, dba Atrium Cafe/Atrium Catering Int'l, 275 Market St (temporary expansion of premises, May 15, 1998 from 6:30 p.m. to 12:30 a.m. for Heart & Soul);

International Catering Inc, dba Atrium Cafe/Atrium Catering Int'l, 275 Market St (temporary expansion of premises, May 17, 1998 from 6:30 p.m. to 12:30 a.m. for HSN Entertainment);

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 1999

D'Amico Cucina Inc, dba D'Amico Cucina, 100 N 6th St;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 1999

Brothers of Minneapolis Inc, dba Brothers, 430 1st Av N Suite 100 & 035 (change in ownership from B & B Minneapolis LLC);

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 1998

Hirschey Investment Corp, dba Barney's Underground, 528 Hennepin Av;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 1999

M A Corporation, dba Sully's Pub & Hamburger Joint, 2519 Central Av NE;

Temporary On-Sale Liquor

De LaSalle High School, dba De LaSalle High School, 25 Island Av W, on May 2, 1998 from 7:00 p.m. to 1:00 a.m. (licensed facilitator: Cuzzy's Inc);

On-Sale Wine Class A with Strong Beer, to expire April 1, 1999

Anderson Restaurant Corporation, dba Dulono's Pizza, 607 W Lake St;

On-Sale Wine Class E with Strong Beer, to expire April 1, 1999

Rocky Rococo Corporation, dba Rocky Rococo, 405-07 14th Av SE;

Tadesse Solomon & Aberash Asres, dba Addis Ababa Ethiopian Restaurant, 2431 Riverside Av;

Off-Sale Beer to expire April 1, 1999

Dire Dawa Corp, dba Uptown Grocery & Deli, 3350 Lyndale Av S (new proprietor);

Temporary On-Sale Beer

South Chicago Avenue Business Alliance Inc, 4820 Chicago Av, on June 6, 1998 from 10:00 a.m. to 6:00 p.m. at 4801 Chicago Avenue to promote businesses at 48th and Chicago;

Church of St Anthony of Padua, 804 NE 2nd St, on August 2, 1998 from noon to 7:00 p.m. for fundraiser;

St Clements Holy Name Society, 911 24th Av NE, on May 17, 1998 from 12:30 to 5:00 p.m. for carnival;

Children's Hospitals & Clinics Foundation, dba Children's Hospital & Clinics, 2910 Centre Pointe Dr, Roseville, on June 27 & 28, 1998 from 8:00 a.m. to 11:00 p.m. for Grand Prix of Minnesota Auto Race in Downtown Minneapolis;

Sons of Norway, a non-profit Minnesota Corporation, dba Uptown Art Fair, 1455 W Lake St, on August 7, 8 & 9, 1998 from noon to 9:00 p.m. on Hennepin Avenue between Lake & 31st Sts and Mall at Hennepin for art festival.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of May 22, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 263789):

Bill Posting & Sign Painting plus Hanger; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Fire Extinguisher Class B; Caterers; Confectionery; Grocery; Food Manufacturer; Meat Markets; Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Sidewalk Cafe Permit; Gasoline Filling Station; Motor Vehicle Repair Garage; Commercial Parking Lot Class A; Plumber; Second-Hand Goods Dealer; Sign Hanger; Steam & Hot Water Systems Installer;

Suntanning Facilities; Swimming Pools;
Taxicab Vehicle; Theater – Zone I.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class B

Aliveness Project, 730 E 38th St, at Brass
Rail, 422 Hennepin Av;

Aliveness Project Inc, 730 E 38th St, at
The Saloon, 830 Hennepin Av;

Edison Community Sports Foundation,
2705 Lake Court Circle, Moundsview, at 331
Club, 331 13th Ave NE;

Edison Community Sports Foundation,
2329 Central Av NE, at Dusty's Inc., 1319
Marshall;

Edison Community Sports Foundation,
2329 Central Av NE, at Little Jack's Steak
House, 201 Lowry Av NE.

Gambling Lawful Exempt

Simpson Housing Services Inc, 2740 1st
Av S, for raffle on July 19, 1998 at Linden Hills
Art, 50th and Upton;

Church of St Anthony of Padua, 804 NE
2nd St, for bingo, raffle, paddlewheels,
tipboards, and pulltabs on August 2, 1998.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute a contract with the Minneapolis Public Schools, in the amount of \$260,920, for staff services in support of the restructuring of school health services through Health Related Services, as follows:

a. two service area leaders who will coordinate all school health services in the City as part of the restructure;

b. staff support for the Healthy Learners' Board in implementing their goals and objectives;

c. data entry support for the School Based Clinics, Minneapolis Welcome Center and other school health activities;

d. social worker services for the Welcome Center; and

e. services at North Star Elementary School as part of the Healthy Tomorrows Project.

Your Committee further recommends that said contract shall be for the period January 1, 1998 through December 31, 1998, and payable from the following Health Department Agencies: \$150,000 from (010-440-4413); \$51,000 from (060-440-4413); \$53,000 from (060-440-4421) and \$6,920 from (030-440-4413).

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute an Agreement with Hennepin County, in the amount of \$113,000, to provide screening services for the 348-TOTS Program for Minneapolis children ages 0-6 years to identify and refer children with conditions that could interfere with learning once in school. Said contract shall be for the period July 1, 1998 through June 30, 1999, and payable from the following Health Department Agencies: \$35,000 from (010-440-4413); and \$78,000 from (030-440-4413).

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Rental Dwelling License held by Donald J. Ziebart for the property located at 314-16 25th Av N, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on April 14, 1998, now recommends

concurrence with the recommendation of the Board of Appeals that said license be revoked as a result of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having conducted an Evidentiary Hearing on April 21, 1998 to consider evidence relating to the Grocery, Food Manufacturer and Tobacco Licenses held by Abdul Tel, dba Portland Food Square, 3751 Portland Av S, and having received Findings of Fact, Conclusions and Recommendations arising from said Evidentiary Hearing held thereon, now recommends concurrence with the Hearing Panel's recommendation to impose the following sanctions on the licensee, Abdul Tel, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

1. that all licenses held by Abdul Tel be suspended for a period of thirty (30) days from the effective date of this action, and that the licensee be required to close Portland Food Square Market for the 30-day period;

2. that the Tobacco Dealer's License held by the licensee be revoked for a period of one (1) year from the effective date of this action; and

3. that a fine, in the amount of \$5,000, be imposed on the licensee.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee recommends approval of the appointment of Oren Larson to the position of

Manager, Environmental Health.

Your Committee further recommends that Mr. Larson receive the third step rate of pay, retroactive to August 12, 1996, and that back pay, in the amount of \$10,127.04 be granted, payable from Licenses & Consumer Services (010-835-8391).

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept a Grant-in-Aid award from the Bureau of Criminal Apprehension, in the amount of \$20,000, for additional expenses incurred during a multi-jurisdictional investigation of the murder of Jeffrey Trail (Cunanan) and the homicide investigation of Alvin Campbell and Lloyd Clarke.

Your Committee further recommends passage of the accompanying Resolution appropriating \$20,000 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-177 **By Biernat and Campbell**

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Other Fund (060-400-C111) by \$20,000.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your

Committee recommends that the proper City Officers be authorized to execute Amendment #1 to Contract #11113 with Special School District #1 to provide Drug Abuse Resistance Education (DARE) training to each 5th Grade classroom for the period July 1, 1997 through June 30, 1998. For this service, the School District shall reimburse the City from taxes levied by Hennepin County for DARE and School Liaison services payable in 1997, estimated at \$368,383. (Petr No 263793)

Minn moved to amend the report by inserting the following language after the words "5th Grade classroom":

"up to the limit of levy funds payable in 1997, in the amount of \$368,383." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your

Committee, having received an updated MECC21 Report that analyzed a Public Safety Facility alternative for the relocation of the Emergency Communications Center, and having previously reviewed four expansion and relocation options, now recommends approval to proceed with Option 4 "City Hall Renovation", as more fully described in Petr No 263602.

Adopted. Yeas, 10; Nays, 1 as follows:

Yeas – Biernat, Niland, Goodman, Colvin Roy, Mead, McDonald, Johnson, Ostrow, Campbell, Cherryhomes.

Nays – Minn.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your

Committee, having under consideration a proposed downtown police demonstration project, now recommends

PS&RS – that appropriate City staff be

directed to create said demonstration project to accomplish the following:

a) to provide an enhanced level of police services in the downtown taxing area for the period from Memorial Day through Labor Day;

b) to address liability and risk management issues, as well as police overtime buy-back issues;

c) to provide information to measure the outcome of said demonstration project, to clarify the desired scope of the project, and to evaluate the advisability of extending said project to other special needs areas of the City;

d) to assist financially in the costs of the project, with involvement of organizations such as the Downtown Council; and

e) to report back to the City Council with results and recommendations.

Your Committee further recommends approval of the following additional requirements:

f) That compensatory time should not be used;

g) That patrol officer rank should be prioritized and out-of-rank utilization should be minimized;

h) That buy-back out of grade should be minimized;

i) That within the next 60 days, staff be directed to report to the PS&RS Committee with the results of a risk assessment study, and present recommendations relating to additional costs that may be needed to create an insurance fund for the buy back program;

j) That at 30 and 60 day intervals from the commencement of the program, as well as at the conclusion of the program, staff be directed to provide progress reports to the PS&RS Committee as to how the program is operating;

k) That after 60 days from the commencement of the program, staff be directed to report to the PS&RS Committee on the historical and appropriate level of private security services at establishments in the project area;

l) That the program will not initiate until the businesses have collected and given the money to the City to fully fund this program;

W&M/Budget – that appropriate City staff be directed to create said demonstration project to accomplish the following:

a) to provide an enhanced level of police services in the downtown taxing area for the period from Memorial Day through Labor Day;

b) to address liability and risk management issues, as well as police overtime buy-back issues;

c) to provide information to measure the outcome of said demonstration project, to clarify the desired scope of the project, and to evaluate the advisability of extending said project to other special needs areas of the City;

d) to assist financially in the costs of the project, with involvement of organizations such as the Downtown Council; and

e) to report back to the City Council with results and recommendations.

Your Committee further recommends approval of the following additional requirements:

f) That compensatory time should not be used;

g) That patrol officer rank should be prioritized and out-of-rank utilization should be minimized;

h) That buy-back should be minimized; and

i) That the full cost will be covered by the downtown area benefited by the program.

Your Committee further having under consideration a proposed requirement that organizations benefiting from the program be required to deposit into the City's self-insurance fund sufficient monies to cover insurance needs, to be based on the City's liability risk relating to said demonstration project, or as a minimum, a requirement that those officers providing the services obtain personal liability insurance from the Minnesota Police and Peace Officers Association, now recommends that said insurance requirement be sent forward without recommendation.

Biernat moved to amend the report to approve the Public Safety & Regulatory Services recommendation and to delete the recommendation of the Ways & Means/Budget Committee. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee, to whom was referred an ordinance

amending several chapters of the Minneapolis Code of Ordinances to provide for an increase in license fees, specifically an increase of 10% for all general licenses, with the exception of pet licenses, salvage yard licenses and taxi fees, and an increase of 5% for on-sale liquor licenses, as described in Petn No 263791, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends passage of the accompanying Resolution directing various studies by the Department of Licenses and Consumer Services relating to licenses and license fees.

Your Committee further recommends summary publication of the above-described Ordinance and Resolution.

Minn moved to divide the Ordinance so as to consider separately that portion relating to on-sale liquor license fees. Seconded.

Lost. Yeas, 5; Nays, 6 as follows:

Yeas – Goodman, Colvin Roy, Minn, McDonald, Ostrow.

Nays – Biernat, Niland, Mead, Johnson, Campbell, Cherryhomes.

Absent – Herron, Thurber.

Cherryhomes called the Question, noting that Council Member Minn has a conflict of interest relating to Lodging House Licenses.

Adopted. Yeas, 8; Nays, 3 as follows:

Yeas – Biernat, Niland, Colvin Roy, Mead, Johnson, Ostrow, Campbell, Cherryhomes.

Nays – Goodman, Minn, McDonald.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-046 amending several chapters of the Minneapolis Code of Ordinances to provide for an increase in license fees, as described in Petition No 263791, to increase all general licenses 10%, except for pet licenses, salvage yard licenses and taxi fees, and an increase of 5% for on-sale liquor licenses, was passed May 22, 1998 by the City Council and approved May 28, 1998 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-046

Biernat and Campbell

Intro: 3/27/98

Ref to: PS&RS

1st Reading: 4/29/98

2nd Reading: 5/22/98

Amending several chapters of the Minneapolis Code of Ordinances to provide for an increase in license fees.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That effective immediately, fees for all general licenses shall increase by 10% as described in Petition No 263791, and shall apply to all licenses which are renewed, transferred, or newly issued for a license period beginning on or after April 1, 1998 with the following modifications. License fees not described in Petition No 263791 shall be unaffected by this general increase.

Section 2. That Section 362.50 relating to on-sale liquor license fees shall be raised by 5%.

Section 3. That Section 64.30 relating to pet license fees, Section 350.40 relating to salvage yard license fees, and Sections 341.310, 341.410, 341.430, 341.580, 341.625, 341.645, 341.650 and 341.655 relating to taxi fees shall be excluded from the general increase.

Adopted. Yeas, 8; Nays, 3 as follows:

Yeas - Biernat, Niland, Colvin Roy, Mead, Johnson, Ostrow, Campbell, Cherryhomes.

Nays - Goodman, Minn, McDonald.

Absent - Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Petition No 263791

LICENSE/PERMIT	SECTION	NEW FEE
Alcoholic Beverages		
Liquor — On Sale		
Class A	362.50	\$7,820
Class B		\$6,578
Class C-1		\$6,171
Class C-2		\$5,652
Class D		\$5,028
Class E		\$4,717
Temp. On Sale Liq		
<10,000 people/ day	362.35	\$158
Director Granted	362.35	\$236
>10,000 people /day	362.35	\$263
Director Granted	362.35	\$394
Temporary Entertainment	362.35	\$62
Food, Ice	362.60	\$187
Sunday Sales	362.60	\$200
Retained, Sunday Sale Denial	362.60	\$36
Temporary Expansion	362.50	\$120
Investigative Fee	362.50	\$500
Special Temporary Expansion	362.36	\$180
Reapplication	362.90(b)	\$71

Beer — On Sale	366.60	
Class A		\$3,973
Class B		\$2,732
Class C-1		\$2,397
Class C-2		\$1,798
Class D		\$1,174
Class E		\$869
Nonprofit Temporary	366.40	\$60
Each Additional Day		\$30
Temporary Expansion	366.60	\$120
Special Temporary Expansion	362.36	\$180
Transfer Fee	366.210	\$103
Beer — Off Sale	366.60	\$155
Wine — On Sale	363.50	
Class A		\$2,000
Class B		\$2,000
Class C-1		\$2,000
Class C-2		\$2,000
Class D		\$1,498
Class E		\$1,198
Temporary Lic./Nonprofit	363.41	\$120
Temporary Expansion	363.50	\$120
Special Expansion	362.36	\$180
Wine & Beer Combined		
Add - Strong Beer	363.25(e)	\$600
Add - 3.2% Beer	363.26(e)	\$299
Bottle Club	372.70	
On-Sale Liquor		\$300
On-Sale Beer		\$869
Asphalt, Shingle & Roofing Mfg.	269.30	\$204
Auction Inventory Inspection Fee		\$39
Bed & Breakfast Facility	297A.30	\$114
Investigation Fee		\$57
Billboard Erector	277.2520	\$131
Bill Posting, Sign Painting	277.2680	\$131
Bowling alley	267.420	
1st Alley		\$105
Each Add'l		\$26
Bowling, Pool, Billiards, All Nt	360.80	\$26
Building Contractor	277.2990	
Class A		\$204
Class B		\$105
Class C		\$39
Duplicate	277.3010	\$8
Building Wrecker	277.2280	
Class A&B		\$177
Lowest Prorate Amt.		\$91
Burglar Alarm Permit	176.20	
5th False Alarm		\$65
1st Revoked		\$98
2nd Revoked		\$131
3rd + Revoked		\$262
Car Wash	265.250	\$131
Carnival	267.500	

0-9 Attractions, First Day		\$105	
Each Add'l		\$33	
10-19 Attractions, First Day		\$171	
Each Add'l		\$33	
20 or more Attractions, First Day		\$340	
Each Add'l		\$33	
Cement Finisher	277.3510	\$131	*50% discount if have Concrete Masonry Contractor
Children's Rides	267.70		
Each Per Week		\$12	
Christmas Trees Dealer	279.40	\$91	
Cigarette Dealer	281.30	\$165	
Circus	267.50		
To 14 Days		\$393	
Each Add'l Day		\$65	
Concrete Block Mfgr.	277.2080	\$131	
Concrete Masonry Contractor	277.1970		
Class A		\$131	*50% discount if already have Cement Finisher
Class B		\$131	
Courtesy Bench	283.40		
New		\$39	
Renew		\$20	
Transfer	283.240	\$20	
Dance Hall	267.1340	\$340	
Dance School	285.40	\$39	
Dry Cleaner	301.50		
Flammable		\$287	
Non-flammable		\$204	
Pickup Station		\$105	
Coin-operated	301.150	\$204	
Add'l after 1st		\$26	
Dry Wall Contractor	277.2860	\$131	
Fire Extinguisher Sales/Serv.	289.60		
Class A		\$287	
Class B		\$204	
Food	188.190		
All Night Special	360.70	\$26	
Caterer	188.190		
1-1000 sq. ft.		\$171	
1001-2500		\$268	
2501-5000		\$340	
5001 plus		\$438	
Plus each vehicle	188.250	\$26	
New Business Surcharge	188.190	\$65	
Confectionery	188.190		
1-1000 sq. ft.		\$72	
1001-5000		\$138	
5001-7500		\$171	
7501-10,000		\$235	
10,001-15,000		\$268	
15,001 plus		\$308	

New Business Surcharge		\$65
Drive-in (full service)	188.190	\$308
New Business Surcharge		\$65
Drive-in (Restricted)	188.190	\$65
New Business Surcharge		\$65
Farm Produce (Nonprofit)	265.390	\$39
Transient	343.15	\$68
Food Manufacturer/Dist.	188.190	
1-1000 sq. ft.		\$138
1001-4000		\$171
4001-7000		\$204
7001-8500		\$235
8501-10,000		\$268
10,001-15,000		\$303
15,001 plus		\$340
Out of Town Mfgr./Dist	188.230	\$46
New Business Surcharge		\$65
Food Shelf		\$1
Groceteria/Portable Store	295.100	\$406
New Business Surcharge		\$65
Grocery	188.190	
1-1000 sq. ft.		\$105
1001-5000		\$138
5001-7500		\$204
7501-10,000		\$268
10,001-15,000		\$340
15,001 plus		\$406
New Business Surcharge		\$65
Kiosk Food Cart Vendor	188.596	\$330
New Business Surcharge		\$65
Meat Market/Butcher Shop	188.190	
1-1000 sq. ft.		\$105
1001-2500		\$171
2501-5000		\$235
5001 plus		\$308
New Business Surcharge		\$65
Milk & Grocery Delivery	200.70	\$86
New Business Surcharge		\$65
Milk Delivery (first veh.)	200.70	\$86
Each Add'l Veh.		\$33
New Business Surcharge		\$65
Milk Distributor	200.50	\$235
Mobil Food Vendor	188.190	\$86
Prepackaged Perishable		\$149
New Business Surcharge		\$65
Outdoor Entertainment, Temp	188.600 & '360.100	\$114
Perishable Food Vehicle	188.250	\$26
New Business Surcharge		\$65
Refund Limit	188.280	\$33
Replacement Decal		\$2
Restaurant, Cafe, Dining	188.190	
1-1000 sq. ft.		\$171
1001-2500		\$268
2501-5000		\$340

5001 plus		\$438
New Business Surcharge		\$65
Short Term Permit	188.110	\$65
Seasonal Short Term Permit	188.110	\$172
Sidewalk Cafe	265.330	\$138
New Business Surcharge		\$65
Sidewalk Cart Vendor per Cart	188.190	\$668
New Business Surcharge		\$65
Midseason Transfer		\$105
Soft Drink License	188.190	
1-1000 sq. ft.		\$72
1001-5000		\$138
5001-7500		\$171
7501-10,000		\$235
10,001-15,000		\$268
15,001 plus		\$308
New Business Surcharge		\$65
Soft Drink Manufacturing	198.30	\$138
New Business Surcharge		\$65
Wholesale Sausage Manufacturer	190.120	
1-1000 sq. ft.		\$138
1001-5000		\$406
5001 plus		\$1,087
Plus each vehicle	190.130	\$26
New Business Surcharge		\$65
Fuel Dealer	291.50	\$131
Cash and Carry		\$131
Gambling (Charitable Only, per day)	268.60	\$57
Game of Skill	267.40	\$91
Gas Fitter	277.1500	
Class A		\$131
Class B		\$65
Gas & Oil Bulk Storage	287.50	\$406
Gasoline Filling Station	287.50	\$138
Each Add'l Outlet		\$20
Going Out of Business	293.70	\$98
Plus for each \$1000 of Inventory		\$9
First Renewal Maximum		
Add'l 30 days	293.80	\$196
Second Renewal, per day		\$65
Fire, Actual Disaster	293.20	\$105
Each add'l day		\$26
City Acquired Property	293.70	\$91
Heating, AC & Ventilation Installer	277.710	
Class A		\$131
Class B		\$131
Horse & Carriage	303.30	\$138
Street Cleanup per Horse		\$65
Maximum Cleanup Fee		\$571
Temporary Route	303.110	\$11
Hospital	296.50	\$812
New Business Surcharge		\$65

Hotel/Motel	297.50	
1-20		\$204
21-75		\$340
76-200		\$479
201 plus		\$812
New Business Surcharge		\$65
Ice Peddler	299.30	
Per Vehicle		\$86
Ice Producer, Dealer, Wholesaler	299.30	\$204
Juke Box	267.960	\$39
Laundry	301.50	\$204
Pickup Station		\$105
Liquid Waste Hauler	225.420	\$177
Lodging House	298.50	
1-5 sleeping rooms		\$131
6-10		\$196
11-25		\$262
26 plus		\$393
New Business Surcharge		\$65
Lodging with Boarding House	298.50	
1-5 sleeping rooms		\$262
6-10		\$328
11-25		\$393
26 plus		\$524
New Business Surcharge		\$65
Mechanical Amusement Device	267.600	
1-4 machines		\$163
5-9		\$328
10-19		\$656
20-30		\$976
31 plus		\$1,302
Plus Each Machine		\$48
Motor Scooter Leasing	311.40	\$89
Motor Vehicle Dealer	313.40	
New and Used		\$268
Used Only		\$204
Broker		\$204
Wholesaler		\$138
Auctioneer		\$138
Cycles, Scooters and Moto-bike		\$138
Additional Places of Business		\$105
Motor Vehicle Lubricant Dealer	315.30	\$131
Motor Vehicle Repair Garage	317.40	\$138
with Accessory		\$59
New Business Surcharge		\$65
Motor Vehicle Servicing-Driver	349.130	
New		\$33
Renewal		\$20
Motor Vehicle Servicing-Vehicles	349.150	
Class A		
1-5 Vehicles		\$680
'6-15		\$1,027
Each Add'l Vehicle		\$20
New Business Surcharge		\$65

Class B	349.250	\$105
Each Add'l Vehicle		\$20
Class C	349.250	\$72
Each Add'l Vehicle		\$20
Class D	349.250	\$46
Each Add'l Vehicle		\$20
New Business Surcharge		\$65
Transfer	349.50	\$20
Motor Vehicle Used Parts Dealer	348.30	\$138
Each Add'l Lot		\$46
Oil Burner Installer	277.80	\$131
Parking Lot	319.60	
Commercial Class A		
1-50 Spaces		\$138
51-100		\$204
101-200		\$340
201 plus		\$543
Commercial Class B		
1-50		\$72
51-100		\$138
101-200		\$204
201 plus		\$406
Free Parking Lot		\$72
New Business Surcharge		\$65
Peddler (Foot)	323.20	\$138
New Business Surcharge		\$65
Peddler (Junk)	323.30	\$65
New Business Surcharge		\$65
Pedicab (each)	305.30	\$72
Pet Shop	68.20	\$111
New Business Surcharge		\$65
Mobile Pet Shop	68.20	\$138
New Business Surcharge		\$65
Place of Amusement	267.860	
Class A		\$680
Class B1 & B2		\$72
Class C		\$340
Transfer	261.50	\$26
Place of Entertainment	267.1140	\$406
Special Short Term	267.1180	\$33
New Business Surcharge	267.1140	\$65
Plaster	277.1680	\$131
Plumber	277.1340	\$131
Pool, Billiards	267.1230	
1st Table		\$105
Each Add'l		\$26
All Night	360.80	\$26
Precious Metal Dealer	322.50	\$340
New Business Surcharge		\$65
Processing Charge, Denied Licens	261.30	\$33
Prorate, Lowest Amount	261.40	\$33
Refrigeration Installer	277.970	\$131
Refunds, Amt. retained on Denial	261.30	\$33
Resin Manufacturer	272.50	\$177

Shooting Gallery	267.1680	\$91
Sidewalk Flower Cart Vendor	331.40	\$131
New Business Surcharge		\$65
Midseason Transfer	331.90	\$98
Sign Hanger	277.2520	\$131
Skating Rink	267.30	\$177
Solicitor	333.60	
Company		\$138
Individual		\$138
New Business Surcharge		\$65
Charitable, Public	333.200	\$65
Solid Waste Hauler	225.140	\$138
Each Add'l Vehicle		\$72
Replacement Decal		\$12
Steam, Hot Water Systems Installer	277.450	\$131
Stoker Installer	277.290	\$131
Street Photographer	335.30	
Per Camera		\$196
Suntanning Facility	232.20	\$57
Swimming Pool, Public	231.30	\$138
Add'l Pool, Same Location		\$72
Whirlpool Only		\$72
New Business Surcharge		\$65
Tattooing	339.50	\$138
Theater	267.1850	
Zone 1		
1-400 capacity		\$138
401-600		\$177
601-1000		\$222
1001-1500		\$262
1501-2000		\$262
2001 plus		\$262
Zone 2		
1-400 capacity		\$177
401-600		\$222
601-1000		\$262
1001-1500		\$354
1501-2000		\$438
2001 plus		\$438
Zone 3		
1-400 capacity		\$438
401-600		\$524
601-1000		\$701
1001-1500		\$871
1501-2000		\$1,041
2001 plus		\$1,741
Transfer, Licenses generally	261.50	\$26
Transient Merchant	343.50	\$138
Each Add'l Loc.		\$39
New Business Surcharge		\$65
Transfer	343.60	\$33
Tree Servicing	347.70	\$59
Each Add'l Vehicle		\$8

Resolution 98R-178, directing various studies by the Department of Licenses and Consumer Services relating to licenses and license fees, was passed May 22, 1998 by the City Council and approved May 28, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished Resolution.

**RESOLUTION 98R-178
By Biernat and Campbell**

**Directing various studies by the
Department of Licenses and Consumer
Services relating to Licenses and License
Fees.**

Resolved by The City Council of the City of Minneapolis:

That the following studies be directed:

1. A study of what appropriate fees are in order to correct the fact that salvage yard license fees fall far below covering the current costs of their enforcement. In conjunction with this study, staff is directed to consider how best to control salvage yard hours of operation in order to alleviate late hour neighborhood disturbances. Staff shall bring an analysis and proposal back to the Public Safety & Regulatory Services (PS&RS) Committee by July 1, 1998.

2. Several license categories including, but not limited to, motor vehicle repair garages, self-service car washes, grocery stores, tobacco shops, hotels, lodging houses, lodging with boarding facilities, and adult entertainment facilities have required significantly increased staff time and resources. Staff is directed to study any categories requiring such additional resources and staff time and report back to the PS&RS Committee on or about August 31, 1998 with an analysis and proposal to appropriately increase these fees beyond the 10% general increase where such is justified.

3. On or about August 31, 1998, staff shall report back to the PS&RS Committee with the results of a study of how to incorporate on-sale liquor establishment size into the license fee formula. This shall be in conjunction with other areas of license fee examination. This study

includes investigation of fees and possible inconsistencies in these fees.

4. Staff is directed to examine the establishment of new licenses to cover sale of pagers, escort services and nail shops. This analysis shall be completed by November 30, 1998.

5. Staff shall, in conjunction with Environmental Health, examine the new business surcharge fee and restructure it as needed to cover all staff time involved and report back on or about August 31, 1998.

Adopted. Yeas, 8; Nays, 3 as follows:

Yeas - Biernat, Niland, Colvin Roy, Mead, Johnson, Ostrow, Campbell, Cherryhomes.

Nays - Goodman, Minn, McDonald.

Absent - Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your
Committee, to whom was referred an ordinance amending Title 13, Chapter 277 of the Minneapolis Code of Ordinances relating to **Licenses and Business Regulations: Building Trade Licenses**, providing for a 50% fee reduction when holding dual concrete masonry and cement finishing licenses, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**ORDINANCE 98-Or-047
By Biernat and Campbell**

Intro: 3/27/98

Ref to: PS&RS

1st Reading: 5/20/98

2nd Reading: 5/22/98

**Amending Title 13, Chapter 277 of the
Minneapolis Code of Ordinances relating to
Licenses and Business Regulations:
Building Trades Licenses.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 277.1970 of the above-entitled ordinance be amended to read as follows:

277.1970. Issuance of license; fees.

Every applicant for a license hereunder, who has been engaged in masonry work for a period of not less than twenty-four (24) months and can prove to the satisfaction of the board of examiners that said applicant has been so engaged, shall, upon certification by the board to the effect that said applicant is competent to engage as a contractor in such work, be entitled upon application and such certification to a license hereunder. The application shall be accompanied by the payment of an examination fee in the sum of fifty dollars (\$50.00), and no license shall be issued until the applicant has paid the annual license fee of one hundred thirty-one dollars (\$131.00). However, if the applicant chooses to be licensed in both concrete masonry under this section, and cement finishing under section 277.3510, the applicant shall be entitled to a fifty (50) percent reduction of the fee for the additional category.

Section 2. That Section 277.3510 of the above-entitled ordinance be amended to read as follows:

277.3510. License fee; transfer and expiration. The fee for each license as provided in section 277.3420 shall be one hundred thirty-one dollars (\$131.00) to be paid at the time of the filing of the application for license. If the applicant chooses to be licensed in both cement finishing under this section, and concrete masonry under 277.1970, the applicant shall be entitled to a fifty (50) percent reduction of the fee for the additional category. Said license shall terminate on the December first next succeeding issuance. No such license shall be transferable or assignable.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 261 of the

Minneapolis Code of Ordinances relating to **Licenses and Business Regulations: License Fees Generally**, providing that license fees be evaluated a minimum of once every four years by the appropriate committee of the City Council, and corrections to be made as part of the City budget process, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-048

By Biernat and Campbell

Intro: 3/27/98

Ref to: PS&RS

1st Reading: 5/20/98

2nd Reading: 5/22/98

Amending Title 13, Chapter 261 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: License Fees Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 261 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 261.60 to read as follows:

261.60. Evaluation of fees. License fees shall be evaluated a minimum of once every four (4) years by the appropriate committee of the City Council and corrections shall be made as part of the city budget process.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TAXES** Committee submitted the following report:

BOARD OF EQUALIZATION

REPORT OF SPECIAL BOARD OF REVIEW

Pursuant to the provisions of an ordinance passed May 30, 1975, by the Minneapolis City

Council relating to assessments of market value of real estate, providing for the creation of a Special Board of Review, and a resolution passed on March 27, 1998, providing for the procedure to be followed by said Board, and one committee report passed on March 27, 1998, appointing members to the Special Board of Review, the City Clerk submits the report of the Special Board of Review which met on Monday, April 27, 1998, in the City of Lakes Building in the City of Minneapolis. The Board was duly sworn and after being so sworn entered upon the discharge of duties imposed by law on such Board.

The Board continued to meet to and including Friday, May 15, 1998. The Board equalized the assessments of the various assessment rolls of real and personal property located in the City of Minneapolis, County of Hennepin, Minnesota, and recommended approval of the Assessor's rolls containing the assessment of real estate and personal property in the various districts of the City of Minneapolis, as so revised, amended, equalized and granted by the Board.

The Board recommended to the City Clerk that copies of the adjustments and corrections made to such assessment rolls be transmitted to the City Council for approval or correction and if approved, such assessment rolls as approved and/or corrected be transmitted to the City Assessor, County Board of Equalization and State Tax Commissioner with the request that they take such action within their powers as authorized by law to give full effect to the correction and adjustments recommended and made by the Board.

Adopted. Yeas, 10; Nays none.

Declining to Vote – Johnson.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee recommends granting the applications of the following individuals for Special Boulevard Permits:

a) Doris Arlene Phillips, 4845 Ewing Avenue South, to build and maintain a boulevard garden;

b) Dee Smithey of the Webber Camden Neighborhood Organization to plant a flower garden at the triangle in the intersection of Humboldt and 42nd Av N; and

c) Margo Berg, 4225 21st Av S, to landscape the boulevard area with flowers, ground cover, flat stepping stones and plastic edging.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the acquisition of land to allow for realignment of 22nd Av S at E Lake Street and having received an offer from Mortenson Properties, Inc., owner of the land, now recommends passage of the accompanying Resolution authorizing acquisition of a temporary construction easement and permanent right-of-way from Mortenson Properties, Inc, at a total cost of \$168,608, payable from the Streets & Malls Agency (4100-937-9372).

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-179

By Mead

Authorizing the acquisition of a temporary construction easement and permanent right-of-way from Mortenson Properties, Inc. for the realignment of 22nd Av S for \$168,608.00.

Whereas, the City of Minneapolis has offered Mortenson Properties, Inc. just compensation for the temporary and permanent acquisition of a portion of their property; and

Whereas, the City has need to obtain the land for realignment of 22nd Av S;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City hereby approves the acquisition of a temporary construction easement and permanent right-of-way from

Mortenson Properties, Inc. for the amount of \$168,608.00, payable from Fund 4100-937-9372.

Property to be Acquired:

That part of the south 110 feet of the north 140 feet of Lot 24 and all of Lots 22 & 23, Griswolds 2nd Addition to Minneapolis, which lies westerly of the following described line:

Commencing at the northwest corner of Lot 24; thence run southerly along the westerly line thereof on an azimuth of 179 degrees 21 minutes 28 seconds for 30 feet; thence on an azimuth of 89 degrees 24 minutes 26 seconds for 77.9 feet to the point of beginning of Line 1 to be described; thence southerly for 155.04 feet on a nontangential curve; concave to the east, having a radius of 289.50 feet, a delta angle of 30 degrees 41 minutes 06 seconds and a chord azimuth of 195 degrees 02 minutes 22 seconds; thence on an azimuth of 210 degrees 22 minutes 53 seconds for 16.16 feet; thence deflect to the left on a tangential curve, having a radius of 209.50 feet and a delta angle of 31 degrees 08 minutes 20 seconds for 113.86 feet and there terminating.

Also a right to use the following described strip for public purposes, which right shall cease on December 31, 1999, or on such earlier date upon which it is determined that it is no longer needed for public purposes:

A strip being that part of Lots 22, 23 and 24 hereinbefore described, which lies within a distance of 20 feet easterly of the line described above.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration 1998 state legislation which created a Corridor Management Committee to advise the Commissioner of Transportation on the planning, design and construction of light rail transit in the Hiawatha Corridor, now recommends passage of the accompanying resolution confirming the Mayor's appointment of Council Member Joan Campbell as City representative and Council Member Sandra Colvin Roy as alternate City representative on the Corridor Management Committee.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

**RESOLUTION 98R-180
By Mead**

**Confirming the Mayor's appointment of
a City representative and alternate to the
Hiawatha Corridor Management Committee.**

Whereas, Minnesota Statutes, Section 473.3994, Subdivision 10, provides for the establishment of a nine member Corridor Management Committee to advise the Commissioner of Transportation on the planning, design and construction of light rail transit in the Hiawatha corridor and that one of the members of said Committee shall be appointed by the City of Minneapolis; and

Whereas, the Mayor has appointed Council Member Joan Campbell as the City representative and Council Member Sandra Colvin Roy as alternate;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it concurs in the Mayor's appointment of Council Member Joan Campbell as the City's representative on the Hiawatha Corridor Management Committee and the appointment of Council Member Sandra Colvin Roy as alternate City representative.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

T&PW – Your Committee recommends passage of the accompanying resolution affirming the City's support of the Minnehaha Creek Watershed District's determination that a wetland does not exist at the site of the proposed Southwest Lake Calhoun Subwatershed Improvement Project and

agreeing that review of the U.S. Army Corps of Engineers opinion to the contrary should be sought.

Mead moved to substitute the following report for the above report. Seconded.

Adopted by unanimous consent.

T&PW – Your Committee recommends passage of the accompanying resolution affirming the City's support of the Minnehaha Creek Watershed District's efforts to improve water quality in the Chain of Lakes by construction of the proposed Southwest Lake Calhoun Subwatershed Improvement Project.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-181
By Minn**

Affirming the City's Support of the Minnehaha Creek Watershed District's efforts to improve water quality in the Chain of Lakes, by construction of the proposed Southwest Lake Calhoun Subwatershed Improvement Project.

Whereas, the City of Minneapolis is a member of the Chain of Lakes Clean Water Partnership (CWP) along with the Minneapolis Park and Recreation Board, the Minnehaha Creek Watershed District, the City of St. Louis Park, The Minnesota Pollution Control Agency and Hennepin County; and

Whereas, the goal of the Clean Water Partnership is to improve the water quality in the Minneapolis Chain of Lakes by improving the stormwater runoff being discharged into these lakes; and

Whereas, the partnership has identified a location for the construction of a series of wetland ponds referred to as the Southwest Lake Calhoun Subwatershed Improvement Project to naturally treat stormwater entering Lake Calhoun from the Southwest Lake Calhoun Subwatershed, one of the major contributors of pollutants to Lake Calhoun; and

Whereas, the site identified for construction of the Southwest Lake Calhoun Subwatershed Improvement Project is currently open parkland maintained as a lawn since the early 1900s; and

Whereas, a Technical Evaluation Panel has concluded that the project site is a disturbed Type 1 Wetland; and

Whereas, the Technical Evaluation panel has opined that the project would be an improvement over existing site conditions, replacing seasonally flooded basin area dominated by turfgrass with a Type 3 and Type 4 wetland areas;

Whereas, a permit from U.S. Army Corps of Engineers shall be required to proceed;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council affirms its support to proceed with construction of the Type 3 and Type 4 wetlands in the Southwest Calhoun Stormwater Wetland Project, and urges the U.S. Army Corps of Engineers to determine that the proposed project is a self-mitigating wetland proposal, and not construction of holding ponds or retention basins.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying resolution abandoning and annulling the special assessment improvement proceedings for the 1998 Non-Residential Paving Program, Special Improvement of Existing Street No 2926A, the Hennepin-Lyndale Av Realignment Project from Groveland Av to W Franklin Av which is being postponed until 1999 due to design and construction changes.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-182
By Mead**

**1998 NON-RESIDENTIAL
PAVING PROGRAM
SPECIAL IMPROVEMENT
OF EXISTING STREET
NO 2926A (HENNEPIN-
LYNDALE REALIGNMENT)**

Abandoning and annulling the special assessment improvement proceedings.

Whereas, Resolution 98R-130 passed April 24, 1998 designated the 1998 Non-Residential Paving Program, Special Improvement of Existing Street No 2926A (Hennepin-Lyndale Realignment); and

Whereas, the City Engineer has recommended that the Hennepin-Lyndale Realignment paving location work be delayed to 1999, all as contained in Petn No 263798 on file in the Office of the City Clerk;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the special assessment improvement proceedings for the 1998 Non-Residential Paving Program, Special Improvement of Existing Street No 2926A (Hennepin-Lyndale Realignment), be and hereby are abandoned and annulled.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration storm damage which has recently occurred in the City, now recommends that the Public Works Department be authorized to provide removal services for tree debris which is placed on City boulevards. Said services will be provided only through the end of May, 1998.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Lowry Hill Area Street Lighting Project and, having held a public hearing thereon, now recommends passage of the accompanying Resolution ordering the project work to proceed and adopting special assessments for the Lowry Hill Area Street Lighting Project, Special Improvement of Existing Street No 2973.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-183

By Mead

**LOWRY HILL AREA
STREET LIGHTING PROJECT
SPECIAL IMPROVEMENT OF
EXISTING STREET NO 2973**

**Ordering the work to proceed and
adopting the special assessments for the
Lowry Hill Area Street Lighting Project.**

Whereas, a public hearing was opened on May 14, 1998 and continued to May 21, 1998 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 98R-102 passed April 10, 1998, to consider the proposed special assessments as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Nly portion of Summit Pl (paved roadway) from Kenwood Pkwy to end of paved roadway (Sly of Kenwood Pkwy) be deleted from the project and that the proposed special assessments in the amount of \$12,829.81 for the affected properties be deleted.

Be It Further Resolved that the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 98R-102 passed April 10, 1998, except as modified in the preceding resolving clause.

Be It Further Resolved that the cost estimate for the project be reduced by \$12,829.81 from \$2,632,000.00 to \$2,619,170.19.

Be It Further Resolved that the proposed special assessments as on file in the Office of the City Clerk be and hereby are reduced by \$12,829.81 from \$2,632,000.00 to \$2,619,170.19 and are adopted and assessed

against the benefited properties as reduced herein.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$100 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2000 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$100 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments on the 2000 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee reports that in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to street lighting districts, a public hearing was opened on May 14, 1998 and continued to May 21, 1998 to consider the establishment of Street Lighting District No 1236 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No.1236 (streets to receive lighting are as designated in the Lowry Hill Area Street Lighting Project, Special Improvement of Existing Street No 2973) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on April 10, 1998 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No. 1236 not be considered for final approval until at least two weeks from now in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET

Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee, having under consideration the Lyn/Lake Municipal Parking Lot Project, a proposal forwarded by the Public Works Transportation Division to develop a system of municipal parking facilities in the vicinity of Lyndale Av and W Lake Street (as more fully outlined in Petn No 263799 on file in the Office of the City Clerk), and having held a public hearing thereon, now recommends:

a. Approval of a capital expenditure of \$2,282,000 for the Lyn/Lake Municipal Parking Lot Project;

b. Authorization for the proper City officers to proceed with the acquisition process of land for said project, including the use of eminent domain if necessary;

c. Passage of the accompanying resolution authorizing establishment of the Lyn/Lake Municipal Parking Advisory Board, a group which will advise the City Council regarding ongoing operations at the parking lots;

d. Authorization for the proper City officers to establish the Lyn/Lake Municipal Parking Trust Fund Account within the City financial system, an interest bearing account to receive positive cash flow from the parking lot, donations and development impact fees from existing or new businesses;

e. Passage of the accompanying resolution requesting the Board of Estimate and Taxation to issue parking revenue bonds in the amount of \$2,282,000 for said project;

f. Passage of the accompanying resolution approving the project, ordering the work to proceed, adopting the special assessments for payable 1999, levying the special assessments and adopting the assessment roll for the Lyn/Lake Parking Facilities.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

**RESOLUTION 98R-184
By Mead & Campbell**

Authorizing establishment of the Lyn/Lake Parking Advisory Board.

Whereas, the Lyn/Lake Parking Advisory Board shall consist of eleven regular voting members; and

Whereas, six of the representatives on the Board shall be from the Lyn/Lake business area, one representative from each of the adjacent neighborhoods (totaling four), and one representative from the Public Works Department, all to be appointed by the Council Members of the affected wards and the City Engineer; and

Whereas, each of the members of the Board will abide by the by-laws establishing duration of office and rules;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers be directed to establish the Lyn/Lake Municipal Parking Advisory Board and that all recommendations of said Board be forwarded to the City Council for consideration of action.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

RESOLUTION 98R-185

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$2,282,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of developing the Lyn/Lake Municipal Parking Lot Project, to be assessed against benefited property owners as estimated by the City Council, which assessments shall be collectible in 20 successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 27, 1998)

RESOLUTION 98R-186

By Mead & Campbell

Approving the project, ordering the work to proceed, adopting the special assessments for payable 1999, levying the special assessments and adopting the assessment roll for the Lyn/Lake Parking Facilities.

Whereas, the need exists for additional off-street parking in the Lyndale Av S and Lake St W area (Lyn/Lake); and

Whereas, Minnesota Statutes, Section 459.14 (Automobile Parking Facilities) authorizes the City of Minneapolis to acquire property interests, construct parking facilities, operate parking facilities and finance parking facilities through special assessments levied against benefited properties; and

Whereas, the City Engineer has recommended establishing parking facilities in the Lyn/Lake area, all as contained in Petn Nos 263708 and 263799 on file in the Office of the City Clerk; and

Whereas, the City Engineer has estimated the capital cost of the proposed Lyn/Lake Parking Facilities to be \$2,282,000; and

Whereas, any shortfall gap between parking facilities revenue and parking facilities expenditures for any year is to be assessed to properties benefited by the parking facilities; and

Whereas, the City Engineer has estimated the shortfall gap between parking facilities revenue and parking facilities expenditures for the first year to be \$170,773; and

Whereas, a public hearing was held on May 14, 1998 in accordance with Minnesota Statutes, Section 459.14, Minnesota Statutes, Chapter 429 and Laws of Minnesota, 1989, Chapter 115, Section 4 to consider the proposed Lyn/Lake Parking Facilities Project, to consider the proposed special assessments for payable 1999 as shown on the proposed assessment roll on file in the Office of the City Clerk and to consider all written and oral

objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed Lyn/Lake Parking Facilities Project as described in Resolution 98R-129 passed April 24, 1998 and in Petn Nos 263708 and 263799 on file in the Office of the City Clerk be and hereby is approved and that the proper City Officers are hereby ordered to proceed and do the work.

Be It Further Resolved that the proposed special assessments for payable 1999 in the the total amount of \$170,773 as on file in the Office of the City Clerk be and hereby are adopted and levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in one (1) installment on the 1999 real estate tax statements without interest charges.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Published May 27, 1998)

T&PW & W&M/Budget – Your Committee, having under consideration the Public Health Center Remodeling and Skyway Bridge Project, now recommends approval of a final increase of \$5,056 to Contract #10444 with Cy-Con, Incorporated, acceptance of the work performed and approval of final payment totaling \$1,579,859.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Published May 27, 1998)

T&PW & W&M/Budget – Your Committee, having under consideration the City Hall Tunnel Project, now recommends

approval of an increase of \$70,731 to Contract #11231 with Cy-Con, Incorporated, acceptance of the work performed and approval of final payment totaling \$440,231.50.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Published May 27, 1998)

T&PW & W&M/Budget – Your Committee, having under consideration the Fourth Street Tunnel Project, now recommends approval of a final increase of \$46,485 to the contract with Meisinger Construction Company, Inc., acceptance of the concrete work performed and approval of final payment totaling \$1,235,585.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 22, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Published May 27, 1998)

T&PW & W&M/Budget – Your Committee, having under consideration the West Metro Education/University of St. Thomas Municipal Parking Ramp Project and having received a report from the City Engineer indicating the need for change orders totaling \$836,460 and a fund transfer within the project, now recommends:

a. That the proper City officers be authorized to transfer funds up to the amount of \$860,000 from the Minneapolis Community Development Agency (MCDA) to the City Parking Fund (7570-943-9464);

b. Approval of changes increasing the contract with Opus by \$401,050 for the removal and disposal of unforeseen concrete foundation and walls, underground storage tanks and fuel product/sludge, and contaminated soil and bedrock removal;

c. Approval of changes increasing the contract with Opus by \$58,900 for the construction of a temporary addition to the Procolor Building;

d. Approval of changes to the contract with Opus at no cost for revisions to the fire protection sprinkler systems, the elevator entrance doors and frames, and extending the

elevator/escalator maintenance plan, all to reduce future maintenance costs; and

e. Approval of changes increasing the contract with Opus by \$376,510 for additional removal of contaminated soils and bedrock.

The funds for said change orders are available within the project budget.

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas – Biernat, Niland, Colvin Roy, Mead, McDonald, Johnson, Ostrow, Campbell, Cherryhomes.

Nays – Goodman, Minn.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 263800):

a) OP #4864, low bid meeting specifications of Kleepsie Tank and Petroluem, Inc. in the amount of \$61,842.31 for furnishing, delivering and installing a fuel tanker for the Public Works Equipment Division; and

b) OP #4860, overall low bid of Egan McKay Electrical Contractors, Inc. for an estimated annual expenditure of \$110,000 for furnishing, delivering and installing traffic signal loop detectors for the Public Works Traffic Department.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having received a report from the Public Works Department concerning assessment policies and procedures for street construction and related work, now recommends:

a. Approval of a City policy requiring that assessment be part of the funding for all street paving construction/reconstruction projects for

which the City is to bear any part of the cost, except for freeways;

b. That the assessment rate for Residential – Other streets (state, county or Minnesota State Aid routes) be changed from the current rate of zero to the same as the assessment rate for Residential – Local streets, with the presumption that the Residential – Other streets will not need renovation any more frequently than the Residential – Local streets.

c. That commercial properties (as determined by zoning and use) in all locations will be assessed at the Non-Residential rate.

Mead moved to divide the report so as to consider separately Paragraph “b” relating to the assessment rate for Residential – Other streets. Seconded.

Adopted by unanimous consent.

Mead moved that the separated portion of the report be postponed. Seconded.

Adopted upon a voice vote.

Mead moved adoption of the balance of the report. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET**

Committee submitted the following reports:

W&M/Budget – Your Committee, having under consideration Round 15 of the Neighborhood Arts New Presenters Program, and having received a proposed list of organizations recommended for funding by the program’s Advisory Panel, now recommends approval of said proposed organizations which would provide group involvement for a large percentage of under-served youth, for a total funding amount of \$32,000, which was previously appropriated.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends adoption of the City of Minneapolis Legal Services Protocol, outlining

the rights, duties and responsibilities of elected officials and City employees with respect to litigation involving the City and suggesting how the legal service needs of City departments can best be met, as more fully set forth in Petn No 263804, on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the matter of the Soo Line Railroad Company vs. the City of Minneapolis, et al, and having considered the likelihood that said matter will not be decided or settled in the near future, now recommends that the proper City officers be authorized to execute Amendment #1 to Contract #12286 with Paul H. Lambole to provide legal services relating to said matter, increasing the total compensation by \$75,000 for a new contract total of \$100,000, payable from 6900-150-1500.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a request from the Executive Director of the Minneapolis Employees Retirement Fund (MERF) for inclusion of MERF employees into the City's Job Bank Program, now recommends that said request be denied since MERF is a separate entity and its employees are not eligible for said program, in accordance with the City's Job Bank Ordinance and as recommended by the City Attorney's Office.

Adopted. Yeas, 10; Nays none.

Declining to Vote – Campbell.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration insurance coverage for the

Convention Center Completion Project, now recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for insurance broker services for an owner-controlled insurance program (OCIP), with the understanding that the RFP is the first step in determining the feasibility of using an OCIP.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the Consolidated Plan and related Community Development Block Grant (CDBG) documents from the Community Development Committee shall be considered as policy and advisory matters only and that final mark-up and adoption of the plan and said related CDBG documents will be adopted at the Ways & Means/Budget Committee as part of the 1998-1999 budget process.

Campbell moved that the report be postponed. Seconded.

Adopted upon a voice vote.

W&M/Budget – Your Committee, having under consideration the matter of franchise negotiations with Paragon Cable, now recommends that staff be directed to provide at least one interim report to the Ways and Means/Budget Committee during the summer and a final report and recommendation by the end of the third quarter, 1998.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the lawsuits filed against the City by the following individuals be settled and be payable as follows:

a) State Farm Insurance Company and its attorneys, Yost and Baill, \$2,623.13, payable from 6900-150-1500-6070;

b) Carrie Theis and her attorney, Gordon Solo, \$4,000, payable from 6900-150-1500-6070.

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying Resolution requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$217,000 for certain purposes other than the purchase of public utilities, to provide funds for increased costs of the Human Resources Information System (HRIS), as approved in the 1997 Mid-year Review budget actions.

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-187
By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$217,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:
That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$217,000, the proceeds of which are to be used for the Human Resources Information System (HRIS).

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998. J. Cherryhomes, President of Council.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the Minnesota Housing Finance Agency to administer the Rental Assistance for Family Stabilization Program, in cooperation with the Minneapolis Public Housing Authority, said program to provide a maximum rent subsidy of \$250 per month for a period of up to three years for persons enrolled in the Minneapolis Employment and Training Program (METP).

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Modification #3 to Grant #7106417 with the Minnesota Department of Economic Security to extend said contract through June 30, 1999 and to increase the amount of available funds by \$93,086 (as approved by the State Legislature for the Minnesota Youth Program), for a new contract total of \$1,120,271, payable from the Grants – Other Fund – Neighborhood Services Agency (0600-860-8600).

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue Fund Availability Notices (FANs) to the following organizations, in the amounts indicated, for the 1998 Jump Start Program (which targets opportunities for youngsters 11-13 years of age), for the period from June 1, 1998 through September 30, 1998, payable from the General Fund – Neighborhood Services Agency (0100-860-8605):

Agency	Master Contract	Amount	FAN #
Pillsbury Neighborhood Services	10007	\$4,095	00-2
Special School District #1	10019	2,397	00-2
YMCA of Minneapolis	10679	3,750	00-2
Minneapolis Urban League	10001	1,650	00-2
East-Side Neighborhood Services	10002	600	00-2
Project for Pride in Living	10011	1,562	00-2

Your Committee further recommends that the proper City officers be authorized to execute a contract with the Minneapolis Park and Recreation Board to administer said Jump Start Program, for the period from June 1, 1998 through September 30, 1998, in the amount of \$7,722, payable from the General Fund – Neighborhood Services (0100-860-8605).

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the Salary Ordinance setting the salary for the position of Maintenance Crew Leader, based on studies conducted by the Department of Human Resources.

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-049
By Campbell
1st & 2nd Readings: 5/22/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following change(s): (Bi-Weekly Rates)

Laborers Local #363 (CLB)
Effective – June 10, 1996

FLSA	OTC	CLASSIFICATION	1st Step
N	3	Maintenance Crew Leader	\$16.06

Section 2. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following change(s): (Bi-Weekly Rates)

Laborers Local #363 (CLB)
Effective – October 16, 1996

FLSA	OTC	CLASSIFICATION	1st Step
N	3	Maintenance Crew Leader	\$16.38

Section 3. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following change(s): (Bi-Weekly Rates)

Laborers Local #363 (CLB)
Effective – January 1, 1998

FLSA	OTC	CLASSIFICATION	1st Step
N	3	Maintenance Crew Leader	\$18.14

Section 4. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following change(s): (Bi-Weekly Rates)

Laborers Local #363 (CLB)
Effective – January 1, 1999

FLSA	OTC	CLASSIFICATION	1st Step
N	3	Maintenance Crew Leader	\$18.59

Section 5. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following change(s): (Bi-Weekly Rates)

Laborers Local #363 (CLB)
Effective – January 1, 2000

FLSA	OTC	CLASSIFICATION	1st Step
N	3	Maintenance Crew Leader	\$19.05

Laborers Local #363 (CLB)
***Effective – January 1, 2000 (b)**

FLSA	OTC	CLASSIFICATION	1st Step
N	3	Maintenance Crew Leader	\$19.15

*Schedule (b) above shall be in effect should the City's general fund revenue increase more than 3% for the year 2000 over the 1999 general fund revenue.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the recommendation of the First Ward Council Member to appoint Diane Loeffler, 2245 Ulysses St NE, #2, Ward 1, to serve on the Capital Long-Range Improvements Committee (CLIC) to fill a vacant position for the remainder of a 2-year term to expire on January 31, 1999.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee recommends that the application of Sarah and Dean LeDoux and Sarah and Kevin Schriver for a special permit to increase the maximum fence height from 3 feet to 4 feet to permit a 4 foot high picket fence along Prospect Av at 5045 Garfield Av and 5051 Garfield Av be granted, notwithstanding the Zoning Code. (1998-062)

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by David Franze from the decision of the Planning Commission granting the application of Pawn America (C-1894) for a conditional use permit to allow a pawn shop at 720 E Lake St, now recommends that said appeal be granted in accordance with the Findings of Fact on file in the Office of the City Clerk and made a part of this report by reference. (Petr No 263815)

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas – Biernat, Niland, Goodman, Colvin Roy, Mead, Johnson, Ostrow, Campbell, Cherryhomes.

Nays – Minn, McDonald.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Jennifer Ogren from the decision of the Planning Commission approving the application of Robert Muir Company (PR-410) for site plan review for Calhoun Commons at 3040-80 Excelsior Blvd, 3115 W Lake St, 3022 Market Plaza and 3400 W 31st St, now recommends that said appeal be denied and that the decision of the Planning Commission be upheld, in accordance with the Findings of Fact on file in the Office of the City Clerk and made a part of this report by reference. (Petr No 263815)

Adopted. Yeas, 10; Nays none.

Declining to Vote – Niland.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Timothy M. Cooney from the decision of the Board of Adjustment approving the application of Soji Agboola (O-479) for continuation of the nonconforming use of property at 3641-43 Columbus Av as a four unit apartment building with no off-street parking, now recommends that said appeal be granted in accordance with the Findings of Fact on file in the Office of the City Clerk and made a part of this report by reference. (Petr No 263813)

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal of Louis A Redmann from the decision of the Board of Adjustment denying his application to appeal the decision of the Zoning Administrator that variation of the garage height at 4555 Dupont Av N cannot exceed 60% of the height of the house, now recommends that said appeal be granted, notwithstanding the adverse decisions of the Board of Adjustment and the Zoning Administrator, and that the applicant be granted a variation of garage height from 12 feet to midpoint of roof to 14 feet 1 inch to midpoint of roof. (Petr No 263813)

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends granting the application of Robert A Parr on behalf of Ryan Companies for a special permit to install a 2 ft x 3 ft electronic countdown sign as part of a 4 ft x 8 ft sign to be placed on a temporary construction wall at the new Piper

Jaffray Center at 800 Nicollet Mall, for temporary usage from June 1, 1998 to March 31, 2000. (1998-063)

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal of Peter H Watson from the decision of the Board of Adjustment approving the application of Steven and Michelle Inman (V-4275) for variation of front yard on Franklin Av W from 25 ft to 16 ft to permit a new single family dwelling at 2014 Sheridan Av S (Petn No 263814), and having conducted a public hearing thereon, now recommends that said appeal be denied and the decision of the Board of Adjustment be upheld, in accordance with the Findings of Fact on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends passage of the accompanying resolution clarifying City Council Ordinance 98-Or-032 pertaining to public schools and parks.

Biernat moved that the resolution be amended by adding Broadway Community School and Playground to the list of developments to which the ordinance will not apply. Seconded.

Adopted upon a voice vote.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-188

By McDonald and Minn

Clarifying City Council Ordinance 98-Or-032 pertaining to public schools and parks.

Whereas, the City Council recently passed Ordinance 98-Or-032 which made schools and parks conditional uses in the residential zoning districts; and

Whereas, it was not the intent of the City Council to apply this ordinance to the Armatage School, Jordan School, Perkins Hill School, Lake Harriet Boat House, Lake Calhoun Boat House, Cavell Park Site, Lind Bohanon Building and Site, Hiawatha Park School Light Retrofits, Longfellow Community Center Light Retrofits, Pershing Park Center Light Retrofits, Southside Service Center, Brackett Park Building and Site, Beltrami Park, Folwell Community Center, Kenny Park Shelter, Phelps Park Building, Kenilworth Trail, West River Parkway Overlook, Lake Calhoun Wetlands, Cedar Lake Shoreline Improvements, Bassett's Creek Bike Trail, Minnehaha Park, Victory Park Site, Webber Park Site and Broadway Community School and Playground because those three schools and twenty-two park projects had already gone through extensive public discussions, hearings, and neighborhood meetings, thus fulfilling the intent of the ordinance which was passed; and

Whereas, the delay in the improvements planned for the three schools and twenty-two park projects would cause great hardship to the community;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Armatage School, Jordan School, Perkins Hill School, Lake Harriet Boat House, Lake Calhoun Boat House, Cavell Park Site, Lind Bohanon Building and Site, Hiawatha Park School Light Retrofits, Longfellow Community Center Light Retrofits, Pershing Park Center Light Retrofits, Southside Service Center, Brackett Park Building and Site, Beltrami Park, Folwell Community Center, Kenny Park Shelter, Phelps Park Building, Kenilworth Trail, West River Parkway Overlook, Lake Calhoun Wetlands, Cedar Lake Shoreline Improvements, Bassett's Creek Bike Trail, Minnehaha Park, Victory Park Site, Webber Park Site and Broadway Community School and Playground are not covered by the requirements of City Council Ordinance 98-Or-032.

Be It Further Resolved that the conditional use permit fees on the above named three schools and twenty-two park projects are waived.

Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998. J. Cherryhomes,
President of Council.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

MOTIONS

Ostrow, Chair of the Claims Committee,
moved concurrence in the reports received
from the City Attorney (Petr No 263817)
recommending payment of workers'
compensation to various employees and to the
State Fund, and for payment of bills and
professional services rendered claimants or
employees injured on the job. Seconded.
Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

Campbell, Chair of the Ways & Means/
Budget Committee, moved that the regular
payrolls for all City employees under City
Council jurisdiction for the month of June 1998
be approved and ordered paid subject to audit
by the Finance Officer. Seconded.
Adopted. Yeas, 11; Nays none.
Absent – Herron, Thurber.
Passed May 22, 1998.
Approved May 28, 1998. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

Biernat moved to introduce the subject
matter of an Ordinance amending Title 13,
Chapter 321 of the Minneapolis Code of
Ordinances relating to *Licenses and Business
Regulations: Secondhand Dealers*, which was
referred to the Public Safety & Regulatory
Services Committee for a public hearing June
17.

Colvin Roy moved to introduce the subject
matter of an Ordinance amending Title 17
relating to *Streets and Sidewalks* to provide for
the creation of a Special Service District for the
business district at the corner of 38th St & 42nd
Av S which includes 3745-3821 on the E side
of 42nd Av S, 3738-3808 on the W side of 42nd
Av S and alley to alley on the E and W side of
42nd Av S on the N and S sides of 38th St,

which was referred to the Transportation &
Public Works Committee for setting of a public
hearing.

Johnson moved to introduce the subject
matter of an ordinance amending Title 21,
Interim Ordinances, to provide for an interim
ordinance on the expansion, establishment,
alteration or reopening of any gas station or
auto combination convenience facility in the B3
zoning districts which was referred to the
Zoning & Planning Committee for setting of a
public hearing.

RESOLUTIONS

Cherryhomes, Minn, Campbell, Biernat,
Ostrow, Colvin Roy, Johnson, Niland,
Goodman, McDonald and Mead offered the
following Resolution:

RESOLUTION 98R-189

**Establishing a Task Force for the
purpose of making recommendations on
the feasibility of establishing a multi-
jurisdictional Senior Coordinating Board for
the City of Minneapolis.**

Whereas, senior citizens comprise sixteen
percent of the City's population and contribute
to its vitality; and

Whereas, the issues and concerns of
health, livability and housing, social
connections, safety and security, and
transportation are important to the well being of
seniors in the City of Minneapolis; and

Whereas, the report released by the
Department of Health and Family Support
entitled *The Health of Minneapolis Seniors*,
provided a comprehensive health status report
about seniors in Minneapolis; and

Whereas, an earlier report entitled *Older
Adults in Minneapolis: Contributions,
Resources, and Needs* presented the
challenges facing seniors and the way in which
they enrich our city;

Now, Therefore, Be It Resolved by The City
Council of The City of Minneapolis:

That a task force be established to make
recommendations to the Minneapolis City
Council and the Mayor as to the feasibility of
implementing a multi-jurisdictional Senior
Coordinating Board in the City of Minneapolis.

Be It Further Resolved that the appointing authority be the Mayor and the City Council President.

Be It Further Resolved that the task force consist of 12 members with one representative from the Minneapolis Senior Citizens Advisory Committee to the Mayor and City Council; the Senior Ombudsman for the City of Minneapolis; the City Council President or her designee; the Mayor or her designee; two representatives from agencies serving the needs of seniors; one senior living in Minneapolis Public Housing; one Minneapolis senior homeowner; Hennepin County Commissioner or their designee; and a representative of the United Way; one Library Commissioner, and one Park Board Commissioner.

Be It Further Resolved that the Department of Health and Family Support will provide staff resources to the task force.

Be It Further Resolved that the task force report back with its recommendations to the City Council three months after its formation.

Adopted. Yeas 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Goodman, Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, McDonald, Mead and Minn offered the following Resolution:

RESOLUTION 98R-190

Establishing an “Avenue for the Arts” Implementation Board.

Whereas, Third Avenue South is the only two-way arterial street through the downtown core; and

Whereas, Third Avenue South links the historic Mississippi Riverfront, birthplace of the cities of Saint Anthony and Minneapolis, with the Minneapolis Institute of Arts and Children’s Theatre; and

Whereas, Third Avenue South could be redesigned to be a gateway from the Whittier and Stevens Square neighborhoods to economic opportunity in the downtown offices, entertainment, hospitality and retail sectors; and

Whereas, the Convention Center Completion Project will realign Third Avenue South, replace the I-94 freeway bridge and renew the streetscape in the Convention Center sector; and

Whereas, the Minneapolis Institute of Arts has completed a renovation and expansion that resulted in twice the gallery space and over 100 percent more art in public view; and

Whereas, the Children’s Theatre Company has begun a renovation and expansion that will include new public performance space and the interactive training center; and

Whereas, public and private property owners along Third Avenue South have recognized the Convention Center and Arts Institution investments as an opportunity to develop a design link that anchors and defines this sector of the city;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That an “Avenue of the Arts”

Implementation Board be established; that said board be advisory to the City Council and the Mayor; that the composition of the board be:

I. Neighborhood Representatives: Down Town – Chuck Neerland; Stevens Square; Whittier.

II. City Members: Mayor; Council Members of the Ward: Ward 6; Ward 7.

III. Major Institutions and Property Owners: Minneapolis Institute of Arts – Evan Mauer; Children’s Theatre – John Haynes; Park Board – Vivian Mason (on MIA Board); Hennepin County; Central Lutheran Church.

IV. Seven At Large Representatives.

Be It Further Resolved that the mission of the Implementation Board be as follows:

- To develop a conceptual plan for the design of an “Avenue of the Arts” on Third Avenue South from the Mississippi river to Twenty-Sixth Street South;

- To recommend physical improvements in the public right-of-way for Third Avenue South from the Mississippi River to Twenty-Sixth Street South to the City Council and Mayor that are usual streetscape components that are publicly funded, that are consistent with the “Avenue of the Arts” conceptual design and that provide a physical definition of the “Avenue of the Arts”;

- To recommend to the City Council and Mayor a process to incorporate private projects and to encourage private investment on private property that contribute to the “Avenue of the

Arts", that are consistent with the "Avenue of the Arts" conceptual design, and that are streetscape components in addition to those usually funded by the public;

- To recommend to the City Council and Mayor a funding plan that includes public and private sources for the physical improvements.

Be It Further Resolved that the Implementation Board develop a work plan and schedule for completing their mission and that includes these task assignments:

- Develop work plan and budget for Implementation Board;

- Select urban design, architect/engineer consultants as needed;

- Develop "Avenue of the Arts" conceptual design that is adopted by the public and embraced by private sectors (or by the neighborhoods, City Council and Mayor, institutions and business);

- Identify opportunities for private and institutional improvements, seek and obtain commitment and participation;

- Design streetscape improvements;

- Develop project budget and public finance plan;

- Define private funding goal and raise funds;

- Determine if state statute or City ordinance change is needed and seek required changes;

- Develop plan to program, operate and maintain the "Avenue of the Arts", including maintenance, repair and replacement funding;

- Develop timetable for project implementation recognizing that the Convention Center Completion, freeway bridge replacement and Minneapolis Institute of Arts and Children's Theatre projects offer time specific opportunities;

- Explore design competition for art and landscape architecture components to the "Avenue of the Arts";

- Grant "sister" jurisdictions, the County Board and Park Board, the time and ability to be full partners in the "Avenue of the Arts".

Be It Further Resolved that the Implementation Board operate within the budget outline; said budget may be augmented by contributions to the "Avenue of the Arts" Implementation Board.

Be It Further Resolved that the Implementation Board will be provided staff support from the City and Minneapolis

Community Development Agency (MCDA) departments.

Be It Further Resolved that the Implementation Board may procure professional services needed to complete its mission and within its budget; it may accept professional services donated to the "Avenue of the Arts" Implementation Board.

Be It Further Resolved that the Implementation Board will report to the City Council and Mayor periodically on progress and policy recommendations with the provision that an initial report to the Mayor and City Council be submitted by August 1, 1998, for inclusion in the 1999 budget deliberations and that future reports are timely for the necessary Capital and Operating budget commitments and potential legislative action.

Adopted. Yeas 11; Nays none.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat offered the following Resolution:

RESOLUTION 98R-191

Directing execution of agreement to accept the donation of Sewer Availability Credits from Archer-Daniels-Midland Company.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be directed to execute an agreement and associated documents with Archer-Daniels-Midland Company (ADM) to accept a donation to the City of the value of Sewer Availability Credits (SAC) as to property at the site of the vacant Fleishman Malting Plant, 1717 Second Street N.E.

Adopted. Yeas 10; Nays none.

Declining to Vote – Colvin Roy.

Absent – Herron, Thurber.

Passed May 22, 1998. J. Cherryhomes, President of Council.

Approved May 28, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Raze Buildings: 3044 10th Av South.
(Postponed 3/27/98, PS&RS).

Biernat moved to continue postponement of
the above-postponed report. Seconded.

Adopted upon a voice vote.

Robert Muir Company (Calhoun
Commons): Passage of Resolution vacating
streets to permit a shopping center at Excelsior
Boulevard & West Lake St.

Minn moved to continue postponement of
the above-postponed report. Seconded.

Adopted upon a voice vote.

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – Herron, McDonald, Thurber.

Adjourned.

Merry Keefe,
City Clerk.
98-4896